

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4036 of 2016

Shiv Shankar Prasad Son of late Ambika Prasad Resident of Village- Mahamadpur , P.s Aungari District Nalanda, Presently Resides at Agam Kuman Shankar Kirana Shop Maharan Colony, Kamaldah Path, Near daru Bhathi Po Gulzarbagh P.s By Pass, District Patna.

... .. Petitioner/s

Versus

1. The Chief Post Master General, Bihar Circle
2. Superintendent of Post Offices, District Nalanda Bihar Sharif.
3. Post Master, Branch Post Office, Ekangarsarai District Nalanda.
4. Sub-Post Master Village Post Office Nischalganj Block Ekangarsarai District Nalanda.
5. Postal Inspector Hilsa District Nalanda Bihar Sharif.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Dr. Om Prakash Om, Advocate
For the Respondent/s	:	Mr. S.D Sanjay, Addl. Soc. Gen.
For UOI	:	Mr. Awadhesh Kumar Pandey, Sr. CGC
	:	Mr. Abhishek Kumar Verma, Advocate

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

5 16-05-2025 Heard Dr. Om Prakash Om, learned counsel for the petitioner and Mr. Awadhesh Kumar Pandey, learned Sr. CGC for the Union of India.

2. The petitioner has approached this Court for issuance of writ of mandamus to the concerned respondents to pay the total amount with compound interest of T.D. Account No.-332379, dated 23-05-1981 of Rs. 10,000/- and T.D. Account No. 332380, dated 29-05-1981 of Rs. 10,000/- for five years in Nischalganj Post Office, District-Nalanda which was said to have been opened/deposited by the step-grandmother (*Nani*) of



the petitioner namely, Late *Malti Devi* in her lifetime.

3. Learned counsel appearing for Union of India objects to the maintainability of the present writ application on the ground that the petitioner cannot seek writ of mandamus without raising a demand before the concerned authority for redressal of his grievance. Since no demand has been raised and there exists no rejection of the demand, therefore he submits that the present writ application should not be entertained for issuance of writ of mandamus.

4. The learned counsel appearing for the petitioner submits that he would be satisfied if this Court would grant him the opportunity to file a representation before the Superintendent of Post Offices, District-Nalanda, Bihar Sharif (Respondent No. 2) for seeking ventilation of his grievance which he has raised in the present writ application and further if a time frame could be fixed for disposal of his representation.

5. To this prayer being made by the learned counsel for the petitioner, learned counsel appearing for Union of India does not have any objection.

6. As prayed for by the learned counsel for the petitioner, this writ application is disposed of granting liberty to the petitioner to file a representation before the Superintendent



of Post Offices, District-Nalanda, Bihar Sharif (Respondent No. 2) for claiming the relief which the petitioner has claimed in the present writ application. If such a representation is filed within one month from the date of this order, the Respondent No. 2 after giving an opportunity of hearing to the petitioner shall dispose of the same further within a period of two months by passing a reasoned and speaking order.

7. With the aforesaid observation and direction, the present writ application is disposed of.

(Alok Kumar Sinha, J)

Gaurav Sinha/-

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