

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10584 of 2024

Subhadra Singh, Female, aged about 64 years, W/o Shri Maheshwar Prasad Singh, resident of Village- Raipatti, P.O. and P.S.- Dighwara, District- Saran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Urban Development Department, Government of Bihar, Patna.
2. The District Magistrate, Saran.
3. The Sub-Divisional Officer, Sonepur, Saran.
4. The Chief Councillor-cum-Chairman, Nagar Panchayat Dighwara, Saran.
5. The Executive Officer, Nagar Panchayat Dighwara, Saran.
6. The Nagar Panchayat Dighwara, through its Chairman, Saran.
7. Nari Uttan Kendra, Saidpur, Dighwara, Saran at Chapra through its Secretary.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 12392 of 2024

Nari Utthan Kendra bearing Resistration No. 589/ 1995- 96, Head Office at Saidpur, Dighwara, Chapra (Saran), Bihar through its Secretary namely Prakash aged about 32 Years, Male, Son of Madhurendra Prasad, Resident of Village-Chaknur, Saidpur P.S.- Dighwara District-Saran at Chapra

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Urban Development and Housing Department, Bihar, Patna.
2. The District Magistrate, Saran at Chapra
3. The Executive Officer, Nagar Panchayat, Dighwara, District-Saran at Chapra.
4. The Chief Councilor, Nagar Panchayat, Dighwara, District-Saran at Chapra.
5. The Empowered Standing Committee of Nagar Panchayat, Dighwara, District-Saran at Chapra through the Executive Officer, Nagar Panchayat, Dighwara, District-Saran at Chapra.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 18261 of 2024

Lakhraj Radhika India Private Limited having its office at Purvi Rauja Chapra, Saran through its Manager Ajay Kumar Saxena, Male aged about 27



years, Male S/o Shri Shivnath Prasad Yadav, a resident of Village- Rampur
Ami, P.O.- Ami and P.S.- Dighwara, District- Saran.

... .. Petitioner/s

Versus

1. The State of Bihar, through the District Magistrate, Saran, Bihar.
2. The District Magistrate, Saran.
3. The Sub-Divisional Officer, Sonepur, Saran.
4. The Chief Councillor -cum- Chairman, Nagar Panchayat Dighwara, Saran.
5. The Executive Officer, Nagar Panchayat Dighwara, Saran.
6. The Nagar Panchayat Dighwara, through its Chairman, Saran.
7. Nari Utthan Kendra, Saidpur, Dighwara, Saran at Chapra through its Secretary.

... .. Respondent/s

Appearance :

(In Civil Writ Jurisdiction Case No. 10584 of 2024)

- For the Petitioner/s : Mr. Nitesh Kumar, Advocate.
For the Respondent/s : Mr. Standing Counsel 9.
For the Nagar Parishad : Mr. Ranjeet Kumar, Advocate.

(In Civil Writ Jurisdiction Case No. 12392 of 2024)

- For the Petitioner/s : Mr. Indu Bhushan, Advocate.
For the Respondent/s : Mr. Government Pleader (4).

(In Civil Writ Jurisdiction Case No. 18261 of 2024)

- For the Petitioner/s : Mr. Baxi S.R.P. Sinha, Senior Advocate with
Mr. Satish Kumar Sinha, Advocate.
For the Respondent/s : Mr. Government Pleader 05 with
Mr. Shailesh Kumar, AC to GP-5.
For the Nagar Parishad : Mr. Ranjeet Kumar, Advocate.

CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL ORDER

6 14-02-2025 **Civil Writ Jurisdiction Case No.10584 of 2024**

Learned counsel appearing on behalf of the petitioner
has stated that the cause in the present writ petition does not
survive and the same has become infructuous.

2. Having regard to the above made submission, the



present writ petition stands dismissed as having become infructuous.

Heard learned counsel for the parties.

Civil Writ Jurisdiction Case No. 12392 of 2024

2. The present Writ Petition has been filed for the following reliefs:-

“.....for issuance of an appropriate writ in the nature of mandamus commanding the responsible respondents for a direction to pay the bill of Rs. 18,32,577/- for cleaning of Ward Nos. 01 to 18 of Nagar Panchayat Dighwara from 01st June, 2024 to 30th June, 2024 which has been submitted on 10.07.2024 (contained in Annexure-P/4) before the Executive Officer, Nagar Panchayat, Dighwara, Saran after cleaning of Ward Nos. 01 to 18 door to door and also collection of garbage, dumping and for the work of sewer drain successfully and representation dated 26.07.2024 (contained in Annexure-P/5) to the Respondent No. 01 to pay the bill from 01st June to 30th June, 2024 or to give direction to the Executive Officer, Nagar Panchayat, Dighwara, Saran.

3. Learned counsel appearing on behalf of the petitioner has stated though the petitioner has been subsequently removed by the authority concerned, he has done the work of sanitation for the period 01 June to 30th June, 2024. However, the authorities are not paying the amounts to the petitioner on



the ground that the petitioner has not been given any work order.

4. In the counter affidavit filed by the Respondent No. 3 at Paragraph 24, it is stated as under:-

“That it is relevant to mention here that the petitioner has been asked to provide the details of sanitary worker so that their wages may be paid but till date the petitioner has not provided details of sanitary worker and the bill dated 10.07.2024 which has been submitted by the petitioner is without any details or break up and it does not appears to be genuine because no details have been provided by the petitioner regarding the said bill.”

5. Having regard to the above, the petitioner is directed to provide the necessary details including the details of the sanitary workers to the authority so that the bills raised by the petitioner can be processed and paid. The petitioner is also directed to file any other documents to substantiate his claim that he has done the work for the above period. The petitioner shall submit the necessary details along with the documents within a period of four weeks from today. On such details/document being furnished, the authority shall endeavour to pay the same at the earliest. In case, the authority is of the opinion that the claim of the petitioner does not deserve any merit, they are obligated to pass a reasoned order giving reasons for rejecting his claim. In case, it is found that the claim of the



petitioner is genuine, they shall endeavour to pay the amounts within a period of eight weeks thereof.

6. With the above directions, the present writ petition stands disposed of.

Civil Writ Jurisdiction Case No. 18261 of 2024

Heard learned counsel for the parties.

2. The present Writ Petition has been filed for issuance of appropriate writ/s and/or order/s and/or direction/s commanding the respondents to grant the following relief to the petitioner:-

“(i) The order contained in Memo No. 528 dated 30.05.2024 (Annexure-3) by which the work by way of stop gap arrangement allotted to the petitioner was cancelled be quashed.

(ii) The order contained in Memo No. 531 dated 31.05.2024 (Annexure-4) by which the work order given to the private respondent by the respondent authorities subsequently be quashed.

(iii) The petitioner be allowed to carry out the stop gap arrangement given to him vide letter No. 1186 dated 31.08.2023 (Annexure-2) till a permanent arrangement be made.

(iv) The genuineness at the part of the new Executive Officer be also decided as he has removed the petitioner against the principles of natural justice.

(v) The petitioner be paid his wages with respect to the work done by him.”

3. Learned counsel appearing on behalf of the



respondents has stated that the present writ petition is not maintainable as the authorities have already issued a fresh NIT wherein the petitioner has also participated in the tender process and was not successful. That the tender has been allotted to the third party i.e. M/s Indeshwari Sanitation Pvt. Ltd. and they are carrying on the work as on date.

4. Having regard to the above made submissions, this court does not find any merit in the present writ petition which warrants any interference by this Court. In so far as the prayer No. 1 of the petitioner is concerned, if the authorities have extracted the work as stop gap arrangement vide Memo No. 528 dated 30.05.2024 and the petitioner has executed the work, then the authorities are obligated to pay the amounts as per the bills raised by the petitioner subject to due verification. In case, the claim of the petitioner is found genuine, the authority shall endeavour to pay the amounts within a period of eight weeks thereof.

5. With the above directions, the present writ petitions stands disposed of.

(A. Abhishek Reddy, J)

shakir/-

U			
---	--	--	--

