

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2237 of 2015

=====

Anand Kumar Rai, son of Sri Hriday Narayan Rai, Resident of Village Sumeshwar
Asthan, Jail Road, P.O. Central Jail Buxar, P.s. Buxar Town, District Buxar

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Human Resources
Development Department, Bihar, Patna
2. The Director, Mid Day Meal Project, Bihar, Patna
3. The District Magistrate, Buxar
4. District Panchayat Raj Officer, Buxar
5. The District Programme Officer, Mid Day Meal Project, Buxar
6. The District Education Officer, Buxar

.... Respondents

=====

Appearance :

For the Petitioner : M/s Ram Kumar Singh and
Ashwani Kumar Rai, Advocates
For the State : Mr. Anuj Kumar, AC to SC VII

=====

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 04-02-2015

I have heard learned counsel for the petitioner and the
State.

Petitioner is aggrieved by the office order dated
10.4.2013 passed by the respondent no. 5, the District Programme
Officer, Mid Day meal Project, Buxar, by which his bank guarantee
and security money has been seized and had been blacklisted.

Learned counsel for the petitioner submits that he has
moved before the District Magistrate, Buxar for reconsideration of
the matter and on that an inquiry was held. A copy of the report
dated 31.7.2013 has been appended as Annexure 6. The inquiry has
been conducted by the District Panchayat Raj Officer, Buxar. He has

made recommendation for returning back the security money and bank guarantee and removing the petitioner's name from the blacklisted contractors. It is submitted that no decision has been taken by the District Magistrate, Buxar.

In above view of the matter, this writ application is being disposed with a direction to the District Magistrate, Buxar to take a decision in accordance with law in this regard within a period of one month from the date of receipt / production of a copy of this order. He will consider the cause shown by the petitioner vide Annexure 3 dated 25.4.2013. This order is being passed in view of the fact that the impugned order also does not disclose any reason for coming to the conclusion that the petitioner is required to be blacklisted and his security money as well as bank guarantee should be seized. The District Magistrate will pass a reasoned order. The decision taken by him should immediately be communicated to the petitioner.

(Dr. Ravi Ranjan, J)

Spd/-

U			
---	--	--	--