

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4022 of 2009

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Rakesh Chachan, S/o Dwarika Prasad Chachan Proprietor, Science House,
Banka Bazar, Motijheel, P.S. Town, Dist. Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar represented through the Chief Secretary, Govt. of Bihar, Patna.
2. The Commissioner cum Secretary, Department of Human Resource & Development, Government of Bihar, Patna.
3. The Headmaster, Govt. Janta High School, Sikta, West Champaran, Bihar.
4. The Headmaster, Govt. Bangar Kuer Girls High School, Lauria, West Champaran.
5. The Head Master, Govt. Champa Kuer High School, Lauria, West Champaran.
6. The Head Master Govt. Guttilal Girls High School, Ram Nagar, West Champaran.
7. The Head Master, Govt. High School, Nawalpur, Yogapatti, West Champaran.
8. The Head Master, Laxmi Narayan High School, Pirari, West Champaran.
9. The Head Master, Sri Someshwawr High School, Areraj, East Champaran.
10. The Principal, Govt. +2 Girls High School, Saharsa.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar (Manoj), Adv.

For the Respondent/s : Mr. K.K. Jha, SC18

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 22-01-2015

Having heard learned counsel for the parties as with

regard to the following prayer made in this writ application:-

"1. That this application is for issuance of appropriate writ/writs commanding the Respondents for taking action against school authorities (Respondent No.3 to 10) by awarding reasonable cost and damages for the loss caused due to rejection of tenders of petitioner without any legal and logical justification and also due to arbitrary, discriminatory and pecuniary business

of the Respondent No. 3 to 10."

this Court is satisfied that there could be no further judicial review by this Court in the contractual matter when the respondents have clearly spelt out the reasons for rejecting the offer of the petitioner. Such reasons emanating from the non-compliance of the provision of NIT cannot now be gone into on account of the work already allotted in favour of the successful tenderer.

The further grievance raised by the learned counsel for the petitioner that the representation filed by the petitioner on 26.12.2008 to the Commission-cum-Secretary of the Department of Human Resource & Development, Government of Bihar, Patna also did not yield any fruitful result could have made any impact on this Court had there been the cause of action to the petitioner surviving but, as noted above, the work, in question, advertised by NIT dated 6.2.2008 having already been allotted to the successful tenderer and the supply also there having been made, no useful purpose would be served even in directing the respondent Commissioner to look into the grievance of the petitioner.

That being so, this application has become infructuous and is, accordingly disposed of.

(Mihir Kumar Jha, J)

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