

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10222 of 2010

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Chandan Tewari, S/O Pramod Kumar Tewari, R/O Mohalla Bank Colony,
Tilkha Manjhi P.S. Tilkhamanjhi, District-Bhagalpur.

.... Petitioner/s

Versus

1. Divisional Manager, Bihar State Road Transport Corporation, Bhagalpur.
2. The Depot Superintendent Bihar State Road Transport Corporation, Bhagalpur.

.... Respondent/s

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL JUDGMENT

6 19-01-2015 No one appears for the petitioner.

Learned counsel for the respondents is present.

The prayer of the petitioner in this writ application
reads as follows:-

*“That this writ application is directed for
issuance of an appropriate writ for quashing the
Tender order dated 22.06.10 passed by the Divisional
Manager (Respondent No. 1) by which he has invited
applications from the General Public to run private
Vehicle on contract basis under the respondents on
different routes including the route Bhagalpur to
Purnea as contained in Annexure-2, under following
facts and circumstances.”*

The records of this case would bear it out that it
got detected under the order of this Court dated
6.09.2010, that the petitioner had produced forged office
order of the Bihar State Road Transport Corporation

dated 14.01.2010 whereafter the learned counsel for the petitioner started remaining absent as is evidenced by subsequent orders of this Court dated 20.06.2011 and 25.11.2014.

That being so, this writ application must fail in view of the unrebutted averment made by the respondents in their counter affidavit, reading as follows:-

“That the petitioner has challenged the general notification dt. 22.06.2010 (Annexure-2) issued by the Divisional Manager, Bhagalpur Division of the corporation inviting applications from the general public for operating vehicles on Bhagalpur-Purnea route.

That the grounds for such challenge is that a sort of agreement is alleged to have been entered into between the petitioner on hand and the Corporation on the other under which the petitioner has been authorized to operate the aforesaid service for one year on security of Rupees ten thousand which is false and misconceived.

That it is submitted that the office order Annexure-1 has been forged and interpolated by the petitioner. On comparing with the original of Annexure-1, from the office records, it will be evident that the original of the office order does not contain the sentence “ यह आदेश एक वर्ष के लिये वैध है. “ Meaning there by that there is no agreement between the petitioner and the corporation to operate on the said route for one year as claimed by the petitioner. The said sentence has been fraudulently included in Annexure-1.

That even on merits by the aforesaid office order (annexure-R/1), the petitioner has been authorized to operate only second trip on the said route, that too on alternate days in place of Hareram Rai to whom it was allotted earlier. Petitioner is already



operating on the said rout at present. From Annexure-2, it is evident that three new Deluxe services is proposed to be operated on the said rout for two trips-up and down for each service (Total 4x3=12Trips).Hence, the challenge on the ground that the same is in violation of the agreement office order is misconceived.

That the very fact that the petitioners has neither been authorized to operate Deluxe service nor he is operating the same the writ petition is misconceived and deserves to be dismissed.”

This writ application is accordingly dismissed.

Ranjan/-

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(Mihir Kumar Jha, J)