

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2762 of 2013

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M/S Smart Identity Devices Private Limited, Ug-35a, Somdutt Chambers,
Bhikaji Cama Place, New Delhi - 110066, India Through Its Head-Legal,
Prashant Kumar S/O Shri Dilip Kumar Mishra R/O Village- Andahara,
P.O.+P.S.- Parsauni, Distt.- Sitamarhi, Bihar- 843325.

.... Petitioner/s

Versus

1. The State Of Bihar Through The Principal Secretary Department Of
Human Resource Development, Govt. Of Bihar
2. The Director Primary Education, Department Of Education, Govt. Of
Bihar, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : None

For the Respondent/s : Mr. Manoj Kumar, AC to SC-28

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

3 03-03-2016 None appears on behalf of the petitioner.

Mr. Manoj Kumar, learned A.C. to S.C.-28 submits that
whereas the memo dated 14.12.2012 impugned at Annexure-1
issued by the Director, Primary Education is merely a notice to the
petitioner to correct the irregularities and respond to the same but
the petitioner not having responded thereto despite hearing fixed
that ultimately the contract has been cancelled on 9.3.2013 vide
letter no. 423 and which has not been impugned by the petitioner
in present proceedings, thus rendering it infructuous. Mr. Kumar,
learned A.C. to S.C.-28 with reference to the various paragraphs
of the counter affidavit has submitted that despite opportunity
being given to the petitioner for a discussion on the notice he did

not chose to respond and hence in absence of any steps taken by the petitioner to fulfill the conditions of the agreement and respond positively to the notice that the cancellation order was passed which has not been challenged.

In absence of any representation on behalf of the petitioner and taking note of the arguments advanced by Mr. Manoj Kumar, learned A.C. to S.C.-28 for the State and as well taking note of the fact that the cancellation order has not been questioned by the petitioner by filing any application nor there is any rejoinder to controvert the statement made in the counter affidavit, I am not persuaded to grant indulgence to the prayer made in the writ petition, which is accordingly disposed of.

(Jyoti Saran, J)

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