

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.594 of 2016

IN

Civil Writ Jurisdiction Case No. 66 of 2013

- =====
1. The State Of Bihar through the Chief Secretary, Bihar Government, Patna.
 2. The Home Commissioner, Home (Jail) Department, Bihar, Patna.
 3. The Director (Work Shop), Jail Inspectorate, Home (Jail) Department, Bihar Government, Bihar.
 4. The Inspector General, Jail, Bihar, Patna.
 5. The District Magistrate, Muzaffarpur.
 6. The Additional District Magistrate-cum-Chairman, District Purchase Committee, Muzaffarpur.
 7. The Jail Superintendent ,Shahid Khudiram Bose, Central Jail Muzaffarpur.

.... Appellant/s

Versus

1. Tanuja Kumari Wife of Sri Suresh Prasad Singh Resident of Village - Chajan, P.S. - Kurhani, District - Muzaffarpur.

.... Respondent/s

with

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Letters Patent Appeal No. 972 of 2016

IN

Civil Writ Jurisdiction Case No. 24740 of 2013

- =====
1. The State Of Bihar through the Home Secretary, Government of Bihar, Patna.
 2. The Inspector General of Prison, Bihar, Patna.
 3. The District Magistrate, Saharsa.
 4. The Jail Superintendent, Divisional Jail, Saharsa.
 5. The Joint Secretary-cum-Director (Administration), Govt. of Bihar, Patna.
 6. Director (Workshop), Department of Home (Jail) Bihar, Patna. null null
 7. Director, Probation Department of Home (Jail) Bihar, Patna.
 8. Assistant Inspector General of Prison, Govt. of Bihar, Patna.
 9. Superintendent, Central Jail Buxar.
 10. Superintendent, Special Central Jail, Bhagalpur.
 11. Superintendent, Central Jail, Gaya.
 12. Superintendent, Shahid Jubba Sahni Central Jail, Bhagalpur.
 13. Superintendent, Ideal Central Jail, Beur, Patna.
 14. Superintendent, Central Jail, Motihari.
 15. Superintendent, Shahid Khudi Ram Bose Central Jail, Muzaffarpur.
 16. Superintendent, Central Jail, Purnea.

.... Appellant/s

Versus

1. Arshad Reza S/o Md. Kalim resident of Village Niyamat Tola, Ward No. 15, P.S. and District Saharsa.

.... Respondent/s

with

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Letters Patent Appeal No. 934 of 2016



IN
Civil Writ Jurisdiction Case No. 23224 of 2013

- =====
1. The State Of Bihar
 2. The Inspector General of Prison, Bihar, Patna
 3. The District Magistrate, Nawada
 4. The Additional District Magistrate, Nawada
 5. The General Manager, Industrial Center, Nawada
 6. The Senior Deputy Collector, Nawada
 7. District Accounts Officer, Nawada Cum Member (Jail Purchasing Committee), Nawada
 8. The Jail Superintendent , Nawada.

.... Appellant/s

Versus

1. Pappu Traders through its Proprietor Pappu Kumar s/o Ramautar Singh, Resident of Mohalla- Narendra Nagar, Gaya Road, P.S. Nawada, District- Nawada.

.... Respondent/s

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Appearance :

(In LPA No.594 of 2016)

For the Appellant/s : Mr. Abhinay Raj

For the Respondent/s : Mr.

(In LPA No.972 of 2016)

For the Appellant/s : Mr. Abhinay Raj

For the Respondent/s : Mr.

(In LPA No.934 of 2016)

For the Appellant/s : Mr. Abhinay Raj

For the Respondent/s : Mr.

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CORAM: HONOURABLE THE CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 14-07-2017

Interlocutory Application Nos. 2641 of 2016,
3567 of 2016 and 3441 of 2016 have been filed for condonation of
delay in filing of the appeals.

On the grounds mentioned in the Interlocutory
Application, the delay in filing all the appeals is condoned.

According the Interlocutory Applications stands



allowed and disposed of.

In the matter of purchase made to the jail in question, based on the recommendations of the District Jail Purchase Committee as approved by the Inspector General of Prison, the subsequent action taken by the Central Purchase Committee has been examined by the learned Writ Court in the backdrop of the rules contained under the Jail Manual and it has been found that once the petitioners had supplied the materials based on the recommendations and the price fixed by the District Jail Purchase Committee approved by the Inspector General of Prison, the Central Purchase Committee has no jurisdiction to sit over the matter and reconsider the issue.

After going through the statutory provisions in detail and discussing the issue involved, we find that learned Writ Court has decided the issue in accordance with law, which does not warrant any consideration.

Accordingly, the appeal stands dismissed.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

Shageer/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	24/07/2017
Transmission Date	NA

