

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.13818 of 2016**

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Nausin Khanam, W/o Rajaullah Khan, Resident of Village- Driver Tola, P.S. Sadar,  
District - Katihar

.... .... Petitioner

Versus

1. The State of Bihar through the Collector, Katihar
2. The Director, Mid Day Meal, Bihar, Patna
3. The District Magistrate - Cum - Chairman of Contrator, Selection Committee, Katihar
4. The District Program Officer, Mid Day Meal - Cum - Member Secretary, Selection Committee, Katihar

.... .... Respondents

With

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**Civil Writ Jurisdiction Case No. 13841 of 2016**

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Sangita Devi, W/o Rajiv Kumar Mandal, Resident of Haflaganj, P.S.- Mufassil,  
District-Katihar at present Resident of Naya Tola Phulwari, P.S.- Sadar, District-  
Katihar.

.... .... Petitioner/s

Versus

1. The State of Bihar through the Collector, Katihar.
2. The Director, Mid Day Meal, Bihar, Patna
3. The District Magistrate-Cum-Chairman of Contractor, Selection Committee, Katihar.
4. The District Program Officer, Mid Day Meal-cum- Member Secretary, Selection Committee, Katihar.

.... .... Respondents

With

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**Civil Writ Jurisdiction Case No. 14092 of 2016**

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Ankit Kumar S/o Sri Rajiv Kumar Mandal, resident of Haflaganj, P.S.- Mufassil,  
District- Katihar at Present Resident of Naya Tola Phulwari P.S.- Sadar, District-  
Katihar

.... .... Petitioner

Versus

1. The State of Bihar through the Collector Katihar
2. The Director, Mid Day Meal, Bihar, Patna
3. The District Magistrate-cum-Chairman of Contractor, Selection Committee, Katihar
4. The District Programme Officer, Mid Day Meal-cum- Member Secretary,



Selection Committee, Katihar

.... .... Respondent/s

With

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**Civil Writ Jurisdiction Case No. 14385 of 2016**

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Sharwan Kumar Paswan S/o Sri Ashok Paswan Resident of Village-Tingachhiya  
P.S.-Town, District-Katihar

.... .... Petitioner

Versus

1. The State of Bihar through the Collector, Katihar
2. The Director, Mid Day Meal, Bihar, Patna
3. The District Magistrate-cum-Chairman of Contractor, Selection Committee, Katihar
4. The District Programme Officer, Mid Day Meal-cum- Member Secretary, Selection Committee, Katihar

.... .... Respondents

With

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**Civil Writ Jurisdiction Case No. 6919 of 2017**

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Sangita Devi, aged about 40 years, W/o Rajeev Kumar Mandal, R/o Village  
Haflaganj, P.O.- Sirnia, P.S. Muffasil, Katihar, District- Katihar.

.... .... Petitioner/s

Versus

1. The State of Bihar through the Director, Mid-day Meal Scheme, Government of Bihar, Patna.
2. The Deputy Director, Mid- day Meal Scheme, Government of Bihar, Patna.
3. The District Magistrate-cum- Chairman, District Mid- day Meal Scheme, Katihar.
4. The District Education Officer, Katihar.
5. The District Programme Officer (Mid-day Meal)- cum- Secretary, Mid-day Meal, Scheme Committee, Katihar.

.... .... Respondents

With

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**Civil Writ Jurisdiction Case No. 6891 of 2017**

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Manoj Kumar Sinha, aged about 44 years Son of Rajendra Prasad R/o Officers  
Colony, Mirchaibari, Katihar, Ward No. 6, P.S. Sahayak, District- Katihar.

.... .... Petitioner

Versus

1. The State of Bihar through the Director, Mid-day Meal Scheme, Government of



- Bihar, Patna.
- 2. The Deputy Director, Mid- Day Meal Scheme, Government of Bihar, Patna.
  - 3. The District Magistrate-cum- Chairman, District Mid- Day Meal Scheme, Katihar.
  - 4. The District Education Officer, Katihar.
  - 5. The District Programme Officer Mid- Day Meal)- Cum-Secretary, Mid- Day Meal, Scheme Committee, Katihar.

.... .... Respondent/s

With

**Civil Writ Jurisdiction Case No. 7131 of 2017**

Ashok Paswan, aged about 55 years, Son of Late Siya Ram Paswan, R/o Mohalla-Tingachhiya, Katihar, P.S.- Town, District- Katihar.

.... .... Petitioner/s

Versus

- 1. The State of Bihar through the Director, Mid-day Meal Scheme, Government of Bihar, Patna.
- 2. The Deputy Director, Mid-day Meal Scheme, Government of Bihar, Patna.
- 3. The District Magistrate-cum- Chairman, District Mid-day Meal Scheme, Katihar.
- 4. The District Education Officer, Katihar.
- 5. The District Programme Officer (Mid-day Meal)- cum- Secretary, Mid-day Meal Scheme Committee, Katihar.

.... .... Respondents

With

**Civil Writ Jurisdiction Case No. 7147 of 2017**

1. Md. Rajaullah Khan, aged about 36 years, son of Md. Khurshid Alam, R/o Mohalla- Driver Tola, Ward No.16, Katihar, P.S.- Town, District- Katihar.

.... .... Petitioner/s

Versus

- 1. The State of Bihar through the Director, Mid-Day Meal Scheme, Government of Bihar, Patna.
- 2. The Deputy Director, Mid-day Meal Scheme, Government of Bihar, Patna.
- 3. The District Magistrate-cum-Chairman, District Mid-Day Meal Scheme, Katihar.
- 4. The District Education Officer, Katihar.
- 5. The District Programme Officer (Mid-day Meal)-cum-Secretary, Mid-day-Meal, Scheme Committee, Katihar.

.... .... Respondents

**Appearance :**  
(In CWJC No.13818 of 2016)  
For the Petitioner/s : Mr. N.K. Agrawal, Sr. Adv.  
Mr. Dhananjaya Nath Tiwari



For the State : Mr. Ranjan Kumar, A.C. to G.A.-12  
For the Mid Day Meal : Mr. Girijesh Kumar, Adv.  
(In CWJC No.13841 of 2016)  
For the Petitioner/s : Mr. N.K. Agrawal, Sr. Adv.  
Mr. Dhananjaya Nath Tiwari, Adv.  
For the Respondent/s : Mr. Shilpa Singh, G.A.-12  
For the Mid Day Meal : Mr. Girish Kumar, Adv.  
(In CWJC No.14092 of 2016)  
For the Petitioner/s : Mr. Mr. N.K. Agrawal, Sr. Adv.  
Mr.Dhananjaya Nath Tiwari  
For the Respondent/s : Mr. Subhash Chandra Misrha, S.C.-16

(In CWJC No.14385 of 2016)  
For the Petitioner/s : Mr. Mr. N.K. Agrawal, Sr. Adv.  
Mr. Dhananjaya Nath Tiwari  
For the Respondent/s : Mr. Ashutosh Ranjan Pandey-AAG-15

(In CWJC No.6919 of 2017)

For the Petitioner/s : Mr. Mukund Mohan Jha, Adv.  
For the Respondent/s : Mr. Kameshwar Kumar, G.P.-17  
Mr. S.K. Ranjan, A.C. to G.P.-17

(In CWJC No.6891 of 2017)  
For the Petitioner/s : Mr. Mukund Mohan Jha  
For the Respondent/s : Mr. Subhash Chandra Misrha, S.C.-16

(In CWJC No.7131 of 2017)  
For the Petitioner/s : Mr. Mukund Mohan Jha  
For the Respondent/s : Mr. JITENDRA KUMAR ROY NO-1 SC13  
(In CWJC No.7147 of 2017)  
For the Petitioner/s : Mr. Mukund Mohan Jha  
For the Respondent/s : Mr. Sanjay Kumar, A.C. to G.P.-23  
For the Mid Day Meal : Mr. Girijesh Kumar, Adv.

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**CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY**  
**ORAL JUDGMENT**  
**Date: 20-09-2017**

Heard the parties.

Mr. N.K. Agarwal, learned Senior Advocate appearing  
for the petitioners in C.W.J.C. Nos.13818 of 2016, 13841 of 2016,  
14092 of 2016 and 14385 of 2016 has submitted that vide order  
dated 23.08.2016, this Court had stayed the letter dated 06.08.2016,



whereby and where-under the advertisement was published for appointment of fresh contractor. Now, learned counsel for the petitioners submit that the matters are pending since long, it will be in the interest of justice the order of stay should be vacated and let there should be a fresh consideration of selection and whoever will be selected should be employed by the authority.

The submission of learned counsel for the petitioners is completely innocuous. Hence, the order of stay is vacated. Let the authority should proceed with the matter for selection of the fresh contractor.

In such view of the matter, there is no need to go into the merit of the case, whoever is found to be suitable will be employed by the authority for transportation. This Court hopes and trusts that the authority will complete the entire process within a period of six weeks from today.

With the aforesaid observations and directions, these writ applications are dismissed.

**(Shivaji Pandey, J)**

pawan/-

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