

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3089 of 2017

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M/s. Katyayni Contractors Pvt. Ltd. through its Authorized Signatory, Raju Ranjan Prasad, Son of Late Nathuni Prasad, Resident of Village-Nawaa, P.S. Nawada (Ara), District Bhojpur, Bihar.

.... Petitioner/s

Versus

1. The State of Bihar, through the Chief Secretary Government of Bihar, Patna.
2. The District Magistrate, cum Chairman, District Transport Committee, District Gaya, Bihar.
3. The Chief (TPDS), Bihar State Food and Civil Supplies Corporation, Khadya Bhawan, Daroga Prasad Rai Path, Patna through its Managing Director.
4. The Deputy Chief (Transportation) Bihar State Food and Civil Supplies Corporation, Khadya Bhawan, Daroga Prasad Rai Path, Patna.
5. The District Magistrate, State Food Corporation, District Gaya, Bihar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Ranjan, Adv.
For the State : Mr. Upendra Pratap Singh, AC to SC-4
For the Corporation : Mr. Nirmal Kr., Adv.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 09-05-2017

Heard learned counsel for the parties.

In this case, the petitioner has raised a grievance that the petitioner is ready to work at the rate which has been given by the L-1 Md. Irshad. Admittedly, the petitioner was not the L-1.

In terms of the advertisement, the petitioner has applied for appointment of Transporting cum Handling Agents (Main) agent for the district of Gaya, three candidates had participated, the petitioner, one Md. Irshad who was L-1 and Smt. Renu Sinha who was L-2, the petitioner and one Smt. Renu Sinha have given



undertaking/option that they are ready to work at the rate given by the L-1 candidate, the Committee has kept them by way of stand-bye, whenever there will be need, the transportation work will be taken by them.

The petitioner has filed an application before the Managing Director but, the letter, which has been brought to the notice of this Court, is the letter of Deputy Chief Transport dated 24.1.2017 wherein he has narrated the fact and requested the District Magistrate that when the petitioner is ready to work at the rate of L-1, he should be accommodated.

Admittedly, the petitioner is not the L-1. Now after selection, he has given an undertaking to work in L-1 rate. This Court cannot give a direction to allot the work to the petitioner but, it is also a fact that whenever there will be a requirement, certainly the petitioner and one Smt. Renu Sinha will be given the work at the rate of L-1.

In case of need of L-2 and L-3 to be entered into an agreement and, if the law permits for the same, the petitioner and Smt. Renu Sinha are to be asked to enter into an agreement but, certainly subject to permissible in law within a period of four months from the date of receipt/production of a copy of this order.

With the aforementioned observation, this application is



disposed of.

(Shivaji Pandey, J)

Rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	16.05.2017
Transmission Date	NA

