

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.1162 of 2017
IN
Civil Writ Jurisdiction Case No. 11378 of 2016**

- =====
1. Roshan Kumar Rashik, son of Sri Jagdish Prasad Yadav, resident of Village + P.O. Dhahara, PS Raghapur, District Supaul
 2. Manoj Kumar Kumar, son of Sri Arisudan Singh, residing at Birpur Koshi Colony, PS Birpur, District Supaul
 3. Pawan Kumar, son of Sri Ghuran Yadav, resident of Village Madhura, PO Sigion, PS Kishanpur, District Supaul
 4. Harideo Prasad Yadav, son of Sri Satyadeo Prasad Yadav, resident of Village Kupha Devipur, PS Raghapur, District Supaul

.... Petitioners/Appellant/s

Versus

1. The State of Bihar through Director Madhyan Bhojan Yojna, Bihar, Patna
2. The Director, Madhyan Bhojan Yojna, Bihar, Patna
3. The District Magistrate, Supaul, Distt. Supaul
4. The District Magistrate-cum-Chairman of Selection Committee, Supaul, Distt. Supaul
5. The District Education Officer, Supaul, Distt. Supaul
6. The Programme Officer Madhyan Bhojan Yojna, Supaul, Dist. Supaul
7. The District Programme Officer (Establishment) Supaul, Distt. Supaul..
- Respondents/Respondents
8. Sachchida Nand Choudhary, son of Sri Kartik Choudhary, resident of Village Babhangama, PS Triveniganj, Distt. Supaul ... Petitioner/Respondents

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sharda Nand Mishra
For the State : Mr. Amarendra Kumar

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 08-09-2017

Seeking exception to an order dated 02.08.2017 passed by the learned Writ Court in CWJC No. 11378 of 2014 this appeal has been filed under Clause 10 of the Letters Patent.

The dispute which was canvassed was in the matter of engagement of Contractors in the district of Supaul with regard to



Madhyan Bhojan Yojna implemented in the State by virtue of a circular dated 25.04.2011. The petitioners wanted that a direction be issued for giving contract to the petitioners.

The learned Writ Court found that period for which the contracted was granted was already over and, therefore, the Court cannot direct for appointment as Contractor. That apart, the prayer made for extending the period of contract was rejected and the learned Writ Court directed for fresh selection of the contractors by issuing fresh tender notice within a period of two months.

We find no error in the order of the learned Writ Court warranting our consideration. The appeal is therefore dismissed.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

mrl

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