

## IN THE HIGH COURT OF JUDICATURE AT PATNA

### Civil Writ Jurisdiction Case No.9550 of 2016

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Ravi Kant Sinha Son of Sri Surya Kant Prasad Sinha Resident of Village- Sakra Faridpur, Neemtalla Road, P.O.- Dholi, P.S.- Sakra, District- Muzaffarpur, Bihar.

.... .... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary.
2. The Principal Secretary, Department of Health and Family Welfare, Government of Bihar, Patna.
3. The Secretary, Department of Health and Family Welfare, Government of Bihar, Patna.
4. The Principal Secretary, Department of Finance, Government of Bihar, Patna.
5. The Bihar Medical Services & Infrastructure Corporation Limited, Patna through its Managing Director, 5th Floor, BISCOMAUN Bhawan, Gandhi Maidan, Patna.
6. The Managing Director, Bihar Medical Services & Infrastructure Corporation Limited, Patna, 5th Floor, BISCOMAUN Bhawan, Gandhi Maidan, Patna.
7. The Development Commissioner-cum-Chairman, Bihar Medical Services & Infrastructure Corporation Limited, Patna, 5th Floor, BISCOMAUN Bhawan, Gandhi Maidan, Patna.
8. The General Manager (Finance & Administration), Bihar Medical Services & Infrastructure Corporation Limited, Patna, 5th Floor, BISCOMAUN Bhawan, Gandhi Maidan, Patna.
9. The Principal Secretary, Department of Vigilance, Bihar, 4th Floor, Soochna Bhawan, Bailey Road, Patna.
10. The Accountant General of Bihar, Patna.
11. The Central Bureau of Investigation through the Superintendent of Police, Dr. S.K. Singh Path, Opposite Bailey Road, Patna- 800022.
12. The Larsen & Turbo Limited, Chennai through its Managing Director.
13. The Chief General Manager (Project), Bihar Medical Services & Infrastructure Corporation Limited, Patna, 5th Floor, BISCOMAUN Bhawan, Gandhi Maidan, Patna.
14. The General Manager (Project & Design), Bihar Medical Services & Infrastructure Corporation Limited, Patna, 5th Floor, BISCOMAUN Bhawan, Gandhi Maidan, Patna.
15. Mr. D.K. Shukla, Son of not known, the then Managing Director of the Bihar Medical Services & Infrastructure Corporation Limited, Patna, 5th Floor, BISCOMAUN Bhawan, Gandhi Maidan, Patna, at present Principal Chief Conservator of Forest.
16. Mr. Anil Kumar Sinha, Son of Late Ram Sunder Prasad Sinha, the then General Manager (Procurement and Logistics) Bihar Medical Services & Infrastructure Corporation Limited, Permanent Resident of Flat No. 101, Rudra Residency Apartment, Gola Road, Patna.
17. Mr. Anil Kumar, Son of not known, the then Chief Manager, Bihar Medical Services & Infrastructure Corporation Limited, Permanent resident of 6, Chena Samiti, Near A.G. Colony, P.O.- Ashiyana Nagar, Patna, Bihar.
18. Mahesh Atri Son of not known, at present working as the Manager (Finance), Bihar Medical Services & Infrastructure Corporation Limited, 5th Floor, BISCOMAUN Bhawan, Gandhi Maidan, Patna.
19. Mr. R.K. Mahajan, Son of not known, at present functioning as the Principal



Secretary, Department of Health & Family Welfare and also the Managing Director, the Bihar Medical Services & Infrastructure Corporation Limited, 5th Floor, BISCOMAUN Bhawan, Gandhi Maidan, Patna.

20. Mr. Tripurari Kumar, Son of Sri Bachhu Prasad, Resident of F-3/16, Purnendu Nagar, Phulwarisharif, P.S.- Phulwarisharif, District- Patna, the then General Manager (Finance and Administration), Bihar Medical Services & Infrastructure Corporation Limited, Patna, 5th Floor, BISCOMAUN Bhawan, Gandhi Maidan, Patna as a member of Technical Committee & Finance Committee.

.... .... Respondent/s

**Appearance :**

For the Petitioner/s : Mr. Sri Ram Krishna, Advocate  
For Accountant General : Mr. Bindhyachal Rai, Advocate  
For the State : Mr. P.K. Verma, AAG-3  
Mr. Ujjwal Kumar Sinha, A.C. to AAG-3  
For Respondent Nos.  
5 to 10 : Mr. P.K. Singh, Advocate.

**CORAM: HONOURABLE THE CHIEF JUSTICE**

**and**

**HONOURABLE MR. JUSTICE SUDHIR SINGH**

**ORAL JUDGMENT**

**(Per: HONOURABLE THE CHIEF JUSTICE)**

**Date: 16-05-2017**

Sri Siddharth Shankar Pandey prays for permission to withdraw his Vakalatnama. He is permitted to do so.

2. Petitioner has filed this petition in public interest and makes a grievance with regard to various illegalities committed in award of contract to Respondent No. 12 in the matter of construction of Government Medical College and Hospital at Madhepura.

3. Apart from the fact that the petitioner claims to be a public spirited person but his public spirited antecedent and various other activities in public interest are no where highlighted in the writ petition. We find that with regard to the issue of the contract in question, the petitioner has made various allegations which have to be



enquired into and a decision taken and the petitioner seems to have already made a complaint to the Chief Vigilance authorities of the State, particularly, the Lokayukta organization who are competent enough under law to cause an inquiry into all these aspects of the matter as are put forth before us in this Public Interest Litigation. By making a prayer that the matter should be investigated, this petition has been filed. That being so, when the petitioner has already approached the Lokayukta organization, it is not appropriate for us to interfere into the matter. The petitioner may approach the Lokayukta organization and we are confident that on a statutory complaint being filed in accordance to the requirement of law, the Lokayukta organization shall proceed to take action as may permissible under law.

4. With the aforesaid liberty to the petitioner, for the present, finding no indulgence to be made, the writ petition stands disposed of.

**(Rajendra Menon, CJ)**

**(Sudhir Singh, J)**

P.K.P.

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