

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12175 of 2017

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Prabhat Kumar Ray Son of Late Ramdeo Ray, Resident of Village-Neyam P.O.
and P.S. Haya Ghat, District Darbhanga

.... Petitioner

Versus

1. The State of Bihar, through the Principal Secretary, Department of Education, Government of Bihar, Patna.
2. Director, Mid Day Meal, Bihar, Patna
3. District Magistrate-Cum-Chairman State Relief Selection Committee, Darbhanga
4. Deputy Development Commissioner-Cum-Senior Incharge Officer, Mid Day Meal Scheme, Darbhanga
5. Bihar State Mid Day Meal Scheme Committee, Darbhanga Shikshak Bhawan, Karamganj, Darbhanga Represented through District Programme Officer
6. District Programme Officer, Mid Day Meal Scheme cum Secretary, District Relief Selection Committee, Darbhanga

.... Respondents

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Appearance :

For the Petitioner : Mr. Ravi Ranjan, Advocate

For the Respondents : Mr. Prabhakar Jha -GP27

For Mid Day Meal Scheme: Mr. Girijesh Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 04-05-2018

Heard learned counsel for the petitioner as well as
learned counsel for the respondents.

2. The present writ petition has been filed for a direction
to the respondent District Magistrate to notify the award of contract of
transporting and supply of Mid Day Meal for Baheri Block as the award
of contract has not been made for the said Block whereas in respect of
other blocks of the district, a notification for the purpose has been
made in respect of other selected candidates; and for further direction
to the respondents to take decision in the matter.



3. At the very outset, learned counsel for the respondents points out from the letter contained in Memo No. 661 dated 15.04.2017 that the matter relates to selection of contractor for transporting and supply of mid day meal for Baheri Block for the financial year 2016-17 which has already elapsed. The petitioner himself has stated in paragraph 4 of the writ petition that he had applied for pursuant to the Notice Inviting Tender relating to contract for the year 2017-18 which is also over.

4. Learned counsel for the petitioner is unable to controvert the aforesaid stand of the respondents in this regard. A statement is however, made at the Bar that other similarly situated persons in different blocks of Darbhanga District are being permitted to continue for the current financial year without any fresh NIT. Liberty is accordingly sought to file a fresh representation for the petitioner's continuance as well.

5. Having regard to the nature of the grievance of petitioner, this Court is of the view that the claim of the petitioner as contained in the writ petition has become infructuous and no relief can be granted to him. The writ petition stands dismissed with liberty however, that the petitioner may approach the concerned authority with a fresh representation for redressal of any grievance with regard to continuing for the current financial year until a fresh NIT is issued. If any such representation is filed, the same shall be considered and



disposed of in accordance with law.

(Vikash Jain, J)

BT/Chandran

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