

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3966 of 2018

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1. Anjani Kumar, Son of Onkar Nath Kumar, Resident of Village Tara Kalyanpur Basti, P.S. Mohaddinagar, District- Samastipur.

2. Navin Nischal, Son of Suresh Prasad Singh, Resident of Village Maniyarpur, P.O. Muktapur, P.S. Kalyanpur, District- Samastipur.

3. Sushmita Kumari, Wife of Vikash Kumar, Resident of Village & P.O. Shekhopur, P.S. Warisnagar, District- Samastipur.

4. Anil Sah, Son of Sri Chandeshwar Sah, Resident of Village & P.O. Mahisari, P.S. Ujjiyarpur, District- Samastipur.

5. Arvind Kumar Chaudhary @ Arvind, son of Late Baidyanath Chaudhary, Resident of Village- Rahiyar, P.O. Rahiyar Konchi, P.S. Hathauri, District- Samastipur.

.... Petitioners

Versus

1. The State of Bihar through Principal Secretary, Education Department, Government of Bihar, Patna.

2. Director, Midday Meal Scheme, Bihar, Patna.

3. District Magistrate, Samastipur.

4. District Education Officer, Samastipur.

5. District Programme Officer, Midday Meal Scheme, Samastipur.

.... Respondents

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Appearance :

For the Petitioners : Mr. Jitendra Prasad Singh, Advocate

For the Respondents : Mr. A.R. Pandey- AAG15

Mr. Vinay Kr. Mishra, AC to AAG 15

For Respondent-M.D.M: Mr. Girijesh Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 17-04-2018

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

2. The present writ petition has been filed for setting aside the letter no. 2226 dated 20.11.2017 issued under the signature of the Director, Midday Meal Scheme, Bihar, Patna by which certain conditions have arbitrarily been imposed upon the intending contractors; and for further direction to the respondents to allow the petitioners to work as per previous tender issued in the year 2016; and for connected reliefs.



3. At the very outset, learned counsel for the petitioners submits that it will suffice if the petitioners’ representation dated 29.01.2018 (Annexure-2) filed before the Principal Secretary, Education Department, Government of Bihar, Patna (Respondent No. 1) is directed to be disposed of, in which event, the present writ petition need not be pressed on merits.

3. Learned counsel for the respondents appears and has been heard.

4. Having regard to the nature of the grievances and the stand of the petitioners, the present writ petition is disposed of with a direction to the Principal Secretary, Education Department, Government of Bihar, Patna (Respondent No. 1) to consider and dispose of the petitioners’ representation dated 29.01.2018 (Annexure-2), if the same is still pending before him, after grant of opportunity of hearing to the petitioners in accordance with law expeditiously and preferably within a period of eight weeks from the date of receipt/production of a copy of this judgment.

B.T/Chandran

(Vikash Jain, J)

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	21.04.2018
Transmission Date	N.A.

