

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5893 of 2016

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Rakesh Kumar Son of Uma Nath Mishra, Proprietor of M/S Rakesh Kumar
Tour and Travel Agency, A/107 P.C. Colony, P.O. + P.S. - Kankarbagh, Patna - 20

.... Petitioner

Versus

1. The Union of India.
2. The Secretary, Department of External Affairs, North Block, New Delhi.
3. The Regional Passport Officer, Regional Passport Office, Mauryalok Complex,
D-Block, Patna.
4. The Passport Officer, Regional Passport Officer, Mauryalok Complex, D-
Block, Patna.
5. Assistant Passport Officer (Admn), Regional Passport Office, Mauryalok
Complex, D-Block, Patna.

.... Respondent

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Appearance :

For the Petitioner/s : Mr. Amarendra Kumar, aDV
For the Respondent/s : Mr. S.D SANJAY (ADDL. SOC. GEN.)

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 15-01-2018

The present writ petition has been filed against the highly
illegal, wrongful, arbitrary action of the respondents by which without
any public notice/information to the petitioner and other persons the
respondents with a view to manage the tender in favour of another
person have manipulated the entire tender process for hire of vehicle
in the Regional Passport Office, Patna and the petitioner, who is having
the existing contract is being deprived of the contract.

2. At the very outset, learned counsel for the petitioner
submits that it will suffice if a direction is given to the respondents to
make payment of the dues of the petitioner in respect of which a



complaint dated 30.01.2016 (Annexure-1) has been filed before the Chief Vigilance Commissioner, New Delhi and 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. In the above view of the matter, this writ petition is disposed of with consent of the petitioner, granting him liberty to approach the Regional Passport Officer, Regional Passport Office, Mauryalok Complex, D-Block, Patna (Respondent No. 3) with a fresh representation for redressal of his grievances. If any such representation is filed within a period of two weeks from today, the same shall be considered and disposed of, ensuring payment to the extent found due to the petitioner, within a period of six weeks from the date of receiving the petitioner's representation. Any delay in payment of the admitted amount beyond the stipulated period as stated above, shall entitle the petitioner to receive payment together with simple interest at the rate of 6% per annum on the admitted dues calculated from the date when the amount became due till the date of its actual payment. In case the petitioner's claim is found inadmissible, whether in whole or in part, the petitioner's representation shall be disposed of by a speaking order in that regard.

5. It is made clear that this Court is not expressing any opinion on the merits of the claim of the petitioner.



(Vikash Jain, J)

Chandran/BT

AFR/NAFR	NAFR
CAV DATE	NA
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