

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7392 of 2019

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Sudhir Kumar Choudhary S/o Baidhya Nath Choudhary, Resident of Mohanpur Devisthan, P.S.- Shastri Nagar, Punaichak, District- Patna, proprietor of Choudhary Printing Press, near Mohanpur Devisthan, Punaichak, Patna, Confidential Printer Code “MAA”

... .. Petitioner

Versus

1. The Vice Chancellor, T. M. Bhagalpur University, Bhagalpur.
2. The Registrar, T.M. Bhagalpur University, Bhagalpur.
3. The Examination Controller, T.M. Bhagalpur University, Bhagalpur.
4. The Finance Officer, T.M. Bhagalpur University, Bhagalpur.
5. M/s Janki Image Private Ltd 39, Barrackpore Trunk Road, Rani Park, Shanthi Nagra Colony, Belghoria, Kolkata (W.B), Confidential Printer Code “GULAB” through its proprietor Santosh kumar Agarwal and Bihari Lal Agarwal.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr.Shashi Bhushan Singh, Advocate

For the T.M. University, Bhagalpur : Mr.Ravi Bhushan Verma, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 02-07-2019 Heard learned counsel for the petitioner and the University.

In the nature of the order proposed to be passed at this stage, no counter affidavit is being called for.

The grievance of the petitioner is that he was declared L1 pursuant to his participation in the tender floated by the Tilka Manjhi Bhagalpur University (hereinafter referred to as the ‘University’) vide Annexure ‘1’ to the writ application and he was communicated about his selection vide Annexure ‘3’ to the writ application, the University is not giving him work and



instead the work is being given to private respondent no. 5.

Learned counsel for the petitioner submits that the University has executed an agreement dated 18th July, 2018 with the petitioner and the validity period of the said agreement is up to 17th July, 2021. Initially the petitioner was given some work which he has completed but thereafter the work is being taken from the private respondent.

It is submitted that the entry of the private respondent is through backdoor method as no fresh tender was invited and the agreement with the petitioner has never been cancelled. In this regard the petitioner has submitted representations on 19.02.2019 to the Vice Chancellor of the University but the same has not been taken care off. Learned counsel for the petitioner also submits that the payment against the work which has been rendered has not been made to the petitioner.

Learned counsel for the University submits that since the petitioner has represented before the Vice Chancellor of the University, the writ application may be disposed off with a direction to the Vice-Chancellor of the University to look into the same and take an appropriate decision thereon within a reasonable time.

In the given facts and circumstances of the case,



without going into merit of the contentions at this stage, this Court directs the Vice Chancellor, Tilka Manjhi Bhagalpur University to look into the representations of the petitioner as contained in Annexure '5' and '5/1' respectively to the writ application and take an appropriate decision thereon, which should be communicated to the petitioner within two months from the date of receipt/production of a copy of this order. In case any amount is found admissible and payable to the petitioner, the same should also be made available to him within next one month.

The writ application stands disposed off accordingly.

(Rajeev Ranjan Prasad, J)

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