

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6919 of 2020

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Chandan Singh @ Chandan Kumar Singh, S/o Kailash Prasad Singh, R/o Panni Tanki Campus, PHD Colony, New Colony, Ward No. 09, P.S. Saharsa, District- Saharsa, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar Through, the Secretary, URban Development and Housing Depart. At Vikas Bhavan, Bailey Road, Patna- 800001.
2. The Bihar State Road Development Corporation Ltd. Through Managing Director, At RCD Mech. Workshop Campus, Sheikhpura, Patna - 800014.
3. The District Magistrate-Cum-Chairman, District Urban Development Agency (DUDA), Saharsa, At Saharsa, P.S. and Dist. Saharsa, PIN - 852201.
4. The Executive Engineer, District Urban Development Agency (DUDA), Saharsa, At Saharsa, P.S. and Dist. Saharsa PIN - 852201.
5. The Executive Officer, Nagar Parishad, P.S. and Dist. Saharsa, PIN- 852201.

... .. Respondent/s

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(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

Appearance :

For the Petitioner/s : Mr.Ajit Kumar

For the Respondent/s : Mr.Kinkar Kumar (Sc 9)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE S. KUMAR)

Date : 23-12-2020

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s):-

"I.Praying for issuance of direction to the Respondent Authorities in order to set up an enquiry by the independent Enquiry Agency (Technical-Wing) with respect to complaint made against publication of a tender bearing "Ati-Alpkalin Nivida Amantran Suchna (E-Tendering Vide www.eproc.bihar.gov.in) Sankhya- E-Tender. 11/2019-20



dated 04.02.2020 (In short, The Tender)” vide Acknowledgment No. 256 dated 04/02/2020 under the scheme of Mukhyamantri Gramin Gali-Nali Pakkikaran Nischay Yojana’ issued by the Respondent No. 05, against the already constructed PCC Road **[Annexure-1, Series with photographs of constructed road on the date of complaint, 27/02/2020]**.

II. Praying for issuance of direction to how cause the Respondent Authorities in order to held Departmental Enquiry, if any and accordingly the Departmental Action/s if any, taken against the wrongdoers against the tender, which work already been completed and which is a glare violation of the scheme of ‘Mukhyamantri Gramin Gali-Nali Pakkikaran Nischay Yojan’ and also tender terms and conditions, constrained complaint/s made against the Respondent No. 05, made by the petitioner to Respondent No.3 vide by hand his complaint letter dated 27/02/2020 with constructed road photographs on the date and other documents enclosed [Annexure-2].

III. For issuance of direction for lodging a corruption case against the Respondents No. 04 & 05 for their alleged connivance with the beneficiary party/ies for illegal gains and intentional misdeeds and also causing illegal losses to the public money."

After the matter was heard for some time, learned counsel for the petitioner submits that petitioner shall be content if a direction is issued to the concerned respondents to consider and decide the representation which the petitioner shall be filing for redressal of the grievance(s).

State has no objection to the same.



As such, petition is disposed of in the following terms:

The petitioner shall file a representation before the authority concerned within a period of eight weeks.

The concerned respondent is directed to consider and decide such representation expeditiously and preferably within a period of two months from the date of its filing along with a copy of this order.

The proceedings, during the time of current Pandemic-Covid-19 shall be conducted through digital mode, unless the parties otherwise mutually agree to meet in person i.e. physical mode.

Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law.

We are hopeful that as and when petitioner takes recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same shall be dealt with, in accordance with law and with reasonable dispatch.

Needless to add, while considering such representation, principles of natural justice shall be followed and due opportunity of hearing be afforded to the parties.

Liberty reserved to the petitioner to approach the Court,



if the need so arises subsequently on the same and subsequent cause of action.

We have not expressed any opinion on merits.

The petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, also stands disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

veena/rrajiv-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	NA

