

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1102 of 2020

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Pankaj Kumar S/o Late Vashishth Narayan Chaudhary Resident of Mohalla-
Laxminagar, Fardogola, P.S.- Sadar, District- Muzaffarpur.

... .. Petitioner

Versus

1. The State of Bihar Through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Health Department, Government of Bihar, Patna.
3. The Additional Chief Secretary, Vigilance Department, Government of Bihar, Patna.
4. The Executive Director, State Health Society, Parivar Kalyan Bhawan, Sheikhpura, Health Department, Government of Bihar, Patna.
5. The Managing Director, Bihar Medical Service Infrastructure Corporation Limited, Hospital Road, Shastri Nagar, Patna, Bihar.
6. The Regional Manager -Sales Kopran Laboratories Ltd., 60, B, 4th Floor, Chowringhee Road, P.S- Maiddan, Kolkara, West Bengal.
7. Uma Shankar Prasad S/o Not Known, Mahalaxmi Traders, Pharmaceutical Distributors and Hospital Suppliers, Shradhanand Road, Near Congress Office, P.S.- Kotwali, Ranchi, Jharkhand.

... .. Respondents

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Appearance :

For the Petitioner : Mr.Nirbhay Prashant, Advocate
For the Respondents : Mr.S.D.Yadav, AAG9

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CORAM: HONOURABLE THE CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 18-01-2020

The petition filed on 17.01.2020 is listed for hearing
for the first time today before the Court.

Heard learned counsel for the petitioner and learned
counsel for the respondents.

Petitioner has prayed for the following relief:



“i. For constituting an Enquiry Commission to enquire about the high-handed conduct of respondent officials particularly Respondent no. 5 and private Respondent no. 6 who have ab-initio conducted irregularities in respect of Supply and Rate Contract of Biochemistry Reagents for Fully Auto Analyser Machine an so many other issues that have been stated in details contained as Annexure-1 and Annexure-8 of this instant writ application without following the procedure laid down by the government.

ii. For direction to the respondent concern to adopt corrective measures in respect of ongoing irregularities in buying of Biochemistry Reagents for Fully Auto Analyser Machine from Respondent no. 6.

iii. For commanding and directing the respondents to initiate an appropriate proceeding including the proceeding for criminal prosecution against the persons concerned who are responsible for the irregularities and illegalities in respect of buying of Biochemistry Reagents/Detergents for Fully Auto Analyser Machine.

iv. For any other relief for which the petitioner is found entitled to in the eye of law.”

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 making afresh within a period of four weeks from today.

Learned counsel for the State states that upon receipt of such request, if any, the same shall be dealt with in accordance with law, expeditiously and positively within a period of three



months from the date of receipt thereof.

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.

The petition stands disposed of in the aforesaid terms.

(Sanjay Karol, CJ)

(Anil Kumar Upadhyay, J)

BT/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	20.01.2020
Transmission Date	N.A.

