

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15644 of 2021

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M/s Intelligence Security Force, Bodh Gaya through its Proprietor
Lakshmeshwar Thakur, aged about 57 years (Male), S/o Suryadeo Thakur,
R/o Village-Mastipur, Post and P.S.-Bodh Gaya, District-Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Science and Technology, Bihar, Patna.
2. The Principal Secretary, Department of Science and Technology, Bihar, Patna.
3. The Director, Department of Science and Technology, Bihar, Patna.
4. The Billing Branch/Establishment, Government Polytechnic, Gaya.
5. The Principal, Government Polytechnic, Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Sinha, Advocate
For the Respondent/s	:	Mr. Kameshwar Prasad Gupta, GP-10 Mr. Satya Vrat, AC to GP-10

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 20-12-2021

Heard learned counsel for the parties.

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

- (I) To issue appropriate order/s, direction/s including a writ preferably in the nature of CERTIORARI for quashing the Memo No. 486 dated 19-08-2021 of the respondent No. 5 (The Principal, Polytechnic, Gaya) whereby and where under the contract of the petitioner has been cancelled for the work of security services, cleaning and gardening on monthly payment of Govt. Polytechnic, Gaya



- (II) To direct the respondents to allow the petitioner to proceed with further for the work of security services, cleaning and gardening on monthly payment of Govt. Polytechnic, Gaya.
- (III) To any other relief/s to which the petitioner is entitled in the facts and circumstances of the case.

After the matter was heard for some time, learned counsel for the petitioner, under instructions, states that petitioner shall be content if a direction is issued to the authority concerned to consider and decide the representation which the petitioner shall be filing within a period of four weeks from today for redressal of the grievance(s).

Learned counsel for the respondents states that if such a representation is filed by the petitioner, the authority concerned shall consider and dispose it of expeditiously and preferably within a period of two months from the date of its filing along with a copy of this order.

Statement accepted and taken on record.

As such, petition stands disposed of in the following terms:-

(a) Petitioner shall file a representation before Respondent No. 5 namely the Principal, Government



Polytechnic, Gaya within a period of four weeks from today for redressal of the grievance(s);

(b) The said respondent shall consider and dispose it of expeditiously by a reasoned and speaking order preferably within a period of two months from the date of its filing along with a copy of this order;

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

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

(e) 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;

(f) Liberty reserved to the petitioner to approach the Court, if the need so rises subsequently on the same and subsequent cause of action;

(g) We have not expressed any opinion on merits.

All issues are left open;

The petition stands disposed of in the aforesaid



terms.

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

(Sanjay Karol, CJ)

(S. Kumar, J)

Amrendra/PKP

AFR/NAFR	
CAV DATE	
Uploading Date	21.12.2021
Transmission Date	

