

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7194 of 2021

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Lakshman Kumar Son of Vishwanath Yadav, Resident of Ward No. 1 Village and Post Office Marukiya, P.S. - Khajauli, District - Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary Bihar State Food and Civil Supply Corporation Limited Patna.
2. The General Manager Public Distribution Bihar Patna.
3. The Managing Director Bihar State Food and Civil Supplies Corporation Limited Patna.
4. The Deputy Secretary Department of Transport Bihar, Patna.
5. The Joint Commissioner Cum-Secretary Regional Transport Tribunal Muzaffarpur.
6. The District Magistrate Cum-Chairman District - Transport Committee Madhubani.
7. The District Manager State Food Corporation Madhubani.
8. The Deputy Development Commissioner Madhubani.
9. The District Transport Officer, Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ravi Prakash, Adv
For the Respondent/s : Mr.Lalit Kishore (AG)

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(The proceedings of the Court are being conducted by Hon'ble the Chief Justice /Hon'ble Judges through Video Conferencing from their residential offices/residences. Also, the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences /offices.)

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 06-01-2022

Heard learned counsel for the parties.

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

“ That this is an application for issuance of an appropriate writ(s), order(s), direction(s) for

quashing the order contained in memo no. 236 dated 06.02.2021 issued under the signature of respondent authorities whereby and whereunder the petitioner declared unsuccessful bidder in Technical bid in Transport handling cum supply contractor for door step delivery of food grains on baseless grounds that in course of scrutiny it has been found that the road permit is/was not available to the vehicles no. BR06GA5621 AND BR06GA8739 of petitioner through there is no necessity of road permit for the abovesaid order dated 06.02.2021 respondents be directed to consider the case of petitioner and declare successful bidder and to grant any other relief(s) for which petitioner may found entitled in accordance with law.”

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 three 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 approach the authority concerned i.e Respondent No. 9, namely District Transport Officer, Madhubani, within a period of four weeks from today by filing a representation for redressal of the grievance(s);

(b) The said authority shall consider and dispose it of expeditiously by a reasoned and speaking order preferably within a period of three 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 appropriate forum, if the need so arises subsequently on the same and subsequent cause of action;

(g) We have not expressed any opinion on merits. All issues are left open;

(h) 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;

The petition stands disposed of in the aforesaid terms.

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

(Sanjay Karol, CJ)

(S. Kumar, J)

ranjan/-

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