

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5242 of 2022

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Jai Mata Di Suppliers, Biscoman Colony, Near Suraksha Chowk, Patna - 800007 through its Proprietor Krishan Murari Kumar, male, aged about 39 years, S/o Narsing Lal, R/o Near Durga Sthan, Sakarwar Tola, Ward 16, Mokama, Bihar - 803302.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Education Department, Bihar.
2. The Regional Deputy Director, Education Department, Muzaffarpur.
3. The District Education Officer, West Champaran, Bettiah, Bihar.
4. The District Program Officer (Establishment), West Champaran, Bettiah.

... .. Respondent/s

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Appearance :

For the Petitioner/s :

For the Respondent/s : Mr. Prabhakar Jha (GP-27)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 01-11-2022 Petitioner has prayed for the following relief(s):-

(i) For issuance of an appropriate writ/writs in the nature of mandamus commanding and directing the respondents to quash and set-aside the "Very Short Term Tender" dated 23.02.2022 published by the respondent District Program Officer (Establishment), West Champaran, Bettiah for supply of different stationary materials for the district.

In the said tender, the respondents have included whimsical conditions such as in clause 5, the respondents have included license for Weight and Measurement and 1.S.O. 9001-2015 registration certificate and in clause 14, they have directed that sample of paper be



certified by nationalized test laboratory and not only this but they also put a clause that the original enquiry report done by the laboratory be directly sent to the office of D.E.O., West Champaran. These requirements have been added only this year for only West Champaran, Bettiah district. These clauses have not been included in the tender published by other districts of Bihar.

(ii) Further for a direction to the respondents to publish fresh very short tender with correct and genuine requirements as required in other districts of Bihar for providing same materials.

(iii) Further for a direction to not to open the bid till disposal of the instant case.

(iv) For any other appropriate writ or direction for which the petitioner is entitled to get.”

On 19.05.2022 we had passed the following order :-

“Despite repeated calls, none has entered appearance on behalf of the petitioner.

However, in the interest of justice, matter is adjourned.

List this case on 23rd of August, 2022.

We clarify that pendency of the present petition shall not come in the way of the respondents taking appropriate action in accordance with law.

Learned counsel for the respondents undertakes to communicate this order to the appropriate authority. ”

Even today, despite repeated calls, none has entered appearance on behalf of the petitioner. However, learned



counsel for the respondent is present.

As such, the present petition stands dismissed for default.

(Sanjay Karol, CJ)

(Partha Sarthy, J)

Avinash/Ashwini

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