

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6166 of 2022

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Sudheer Kumar Singh son of Late Shivnarayan Singh, resident of Village-
Chhitu Pakar, Lahladan Chak, P.O. Chhitu Pakar, P.S. Nayagaon, District-
Saran at Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Water Resources Department, Government of Bihar, Patna.
3. The Director, Purchase, Store and Material, Management Directorate, Water Resources Department, Government of Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ravi Ranjan, Advocate
For the Respondent/s : Mr.Vikash Kumar (SC 11)

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

(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.)

2 24-06-2022 Petitioner has prayed for the following relief(s):-

(I) For issuance of an appropriate writ in the nature of CERTIORARI for quashing the Short Term Quotation Invitation Notice No. 01/2022-23 published under the authority of Respondents no.3 in daily Hindi Newspaper "Hindustan" on 13.04.2022 whereby and where under tender has been invited from the eligible tenderers, so far the supply of 1.2 CFT new



empty cement bags are concerned on the ground that before the financial year 2021-22, the department was purchasing old empty cement bags for this purpose and the last purchase was at the rate of about Rs.4/- per empty cement bag until the financial year 2020-21 and because of the purchase of new empty cement bags more than Rs.50 Crores of public money being misused by the Respondents though even when old empty cement bags were being purchased, there was no complaint from any corner that those bags are not sufficient for fighting with the flood whenever and wherever those cement bags were required.

(II) For a declaration that the decision of the department for purchase of new empty cement bags in place of old empty cement bags at the cost of poor tax payer money was thoroughly misconceived for the purposes of misappropriation of public money and for no other purpose if the old empty cement bags were also used for the same purpose and there was no complaint about the old empty cement bag.

(iii) For issuance of any other appropriate writ/writs, order/orders, direction/directions for which the writ petitioner shall be found entitled under the facts and circumstances of the case.”

After the matter was heard for some time, finding the Court not in favour of the submissions made by the learned



counsel for the petitioner, learned counsel for the petitioner, under instructions, states that the petitioner shall be content if the petitioner is permitted to withdraw the present petition, with liberty to initiate appropriate proceedings before the appropriate forum and to take recourse to such other alternate remedies which are equally efficacious in law.

Prayer allowed.

As and when such a proceeding is initiated, we hope that the same shall be decided expeditiously in accordance with law.

The petition is disposed of as withdrawn with the liberty aforesaid.

Interlocutory application(s), if any, shall also stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/-DKS

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