

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9624 of 2019

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Bharosa Security and Management Services Pvt. Ltd. having its registered office at Village- Panjari, Anchal- Dinara, Bikramganj, through its Managing Director Ajay Kumar, aged about 29 years, Gender- Male, Son of Krishna Kant Ray, Resident of Village- Panjari, P.S.- Dinara, District- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Urban Development, Government of Bihar, Patna.
2. The District Magistrate, Patna.
3. The Patna Municipal Corporation through the Municipal Commissioner, Patna Municipal Corporation, Patna.
4. The Municipal Commissioner, Patna Municipal Corporation, Patna.
5. The Deputy Municipal Commissioner, Patna Municipal Corporation, Patna.
6. Smt Sita Sahu Wife of Late Baiju Sahu The Mayor, Patna Municipal Corporation, Patna, Resident of Bari Patan Devi Road, Ward No.- 58, P.O.- Gulzarbagh, P.S.- Alamganj, District- Patna.
7. The Executive Officer, Patna City, Patna Municipal Corporation, Patna.
8. The Executive Officer, Azimabad, Patna Municipal Corporation, Patna.
9. The City Manager, Azimabad, Patna Municipal Corporation, Patna.
10. Shri Shishir Kumar Son of Late Baiju Sahu Resident of Bari Patan Devi Road, Ward No.- 58, P.O.- Gulzarbagh, P.S.- Alamganj, District- Patna.
11. Shri Deepak Kumar Son of not known Resident of Sahu Colony, Ward No.- 58, P.O.- Gulzarbagh, P.S.- Alamganj, District- Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Ms. REEMA KUMAR, Advocate Mr. VATSAL VERMA, Advocate Mr. SHASHANK CHANDRA, Advocate
For the Respondent/s	:	Mr. ABBAS HAIDER SC 6 Mr. PRASOON SINHA, Advocate Mr. SANJAY PRAKASH VERMA, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 14-11-2022

Heard learned counsel for the parties.



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

“1. That this is an application praying for issuance of a Writ in the nature of a Writ of certiorari, or any other appropriate Writ order, direction quashing the Order contained in Letter No. 4423 dated 05.04.2019, (Annexure - 9), issued under the signature of the Respondent No.4. By the impugned Order dated 05.04.2019, the Respondent No. 4 has discharged the Petitioner from providing the outsourced services of workers under Patna City and Azimabad Circles of the Patna Municipal Corporation and has tagged Everest Human Resource Consultant to provide the outsourced service in the said Circles of the Corporation and has further directed the Chief Executive Engineer, Patna Municipal Corporation to initiate the process of blacklisting against the Petitioner's Company after removing it from the list of companies of the Patna Municipal Corporation, Patna. The Petitioner further prays for a consequential Writ of Mandamus, directing the Respondents to forthwith enter into an agreement with the Petitioner in-terms of the NIT and to act strictly in accordance with law.”

The present petition, in our considered view, has become infructuous.

However, it is contended on behalf of the petitioner that petitioner is entitled to certain undisputed amounts, due and payable for the period of pendency of the agreement in question. Also, the security amount has yet not been refunded.

Well, all these issues can be resolved by the parties



with the petitioner approaching the Respondent No. 4, namely, the Municipal Commissioner, Patna Municipal Corporation, Patna for redressal of the surviving grievances/ grievances arisen as a result of subsequent consequential action.

We only hope that with the petitioner approaching Respondent No. 4, a decision would be taken expeditiously and preferably within a period of three months from the date of approaching the petitioner along with a copy of this order.

Needless to add, should the petitioner feel aggrieved, he can take appropriate remedy in accordance with law.

The present petition stands disposed of in the aforesaid terms.

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

(Sanjay Karol, CJ)

(Partha Sarthy, J)

Prakash/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

