

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10874 of 2022

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Santosh Kumar Singh, male, aged about 42 years, S/o Sh. Dharendra Kumar Singh, R/o Rajput Colony, Karamganj, P.O. and P.S.-Laheriasarai, District-Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Food and Civil Supplies Department, Government of Bihar, New Secretariat, Patna.
2. The District Magistrate, Darbhanga.
3. The District Supply Officer, Darbhanga.
4. The Block Supply Officer, Singhwara, Darbhanga.
5. Bihar State Food and Civil Supplies Corporation Ltd., Khadya Bhawan, Daroga Rai Path, Patna, through its Managing Director.
6. The Managing Director, Bihar State Food and Civil Supplies Corporation Ltd., Khadya Bhawan, Daroga Rai Path, Patna.
7. The General Manager, Targeted Public Distribution System, Bihar State Food and Civil Supplies Corporation Ltd., Khadya Bhawan, Daroga Rai Path, Patna.
8. The District Manager, Bihar State Food and Civil Supplies Corporation Ltd., Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Chhote Lal Mishra, Advocate
For the BSFC	:	Mr. Shailendra Kumar Singh, Advocate
		Mr. Utkarsha Utpal, Advocate
For the State	:	Mr. Kamil Akhtar, AC to AAG-5

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 05-12-2022

In the instant petition, petitioner has prayed for following relief(s):

***“That this is an application for
issuance of appropriate writ/writs
direction/directions/order/orders for the
following reliefs.**”*



(I) For quashing of the tender notice issued vide NIT No. 839 dated 30.05.2022 by the District Manager, Bihar State Food & Civil Supplies Corporation, Darbhanga, whereby and whereunder bids have been invited for selection and empanelment of Transporting-cum-Handling & Delivery Contractors for Door Step Delivery of Food Grains (on the place of petitioner).

(II) For also quashing of order contained in Memo no. 670 dated 28.04.2022 issued by the District Magistrate, Darbhanga whereby and whereunder the Transportation-cum Handling Agreement entered between the petitioner and the District Manager, State Food Corporation, Darbhanga for Door Step Delivery of Food grains has been cancelled and the petitioner has been black listed and debarred from participating in any tender of the Bihar State Food & Civil Supplies Corporation for a period of five years.

(III) Consequently for direction to the Respondent-authorities to restore the Agreement and allow the petitioner to work till the Agreement period.

(IV) Further, for direction upon the Respondents to duly compensate for the physical and mental harassment suffered by the petitioner and also the cost of litigation thrust upon the petitioner.

(V) For any other appropriate relief/reliefs to which the petitioner is found entitled in the facts and circumstances of this case.”

Learned counsels for the respective parties, on instruction, submitted that appeal has been preferred and it is pending consideration before the Appellate Authority since 23.05.2022. The Appellate Authority has not yet decided the petitioner's memorandum of appeal.



In the light of these facts and circumstances, the present petition stands disposed of with a direction to the Appellate Authority to decide the petitioner’s appeal within a period of two months from the date of receipt of this order.

The respective parties are hereby directed to co-operate before the Appellate Authority.

Third party right, if any, created during pendency of the appeal and it would be subject to outcome of Appellate Authority’s decision.

(P. B. Bajanthri, J)

(Purnendu Singh, J)

Niraj/-

AFR/NAFR	N.A.F.R.
CAV DATE	N/A
Uploading Date	08.12.2022
Transmission Date	N/A

