

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18343 of 2021

1. Birju Yadav, Son of Chandradeo Yadav, Resident of Mohalla, Durgapur Colony, P.S. - Moffassil, District - Gaya.
2. Kundan Kumar, Son of Mithilesh Singh, Resident of Village - Repura, P.S. - Sitamarhi, District - Nalanda.
3. Bhimsen Singh, Son of Late Bachan Singh, Resident of Village - Bajaul, P.S. - Dumari, District - Gaya.
4. Dhiraj Kumar, Son of Bhimsen Singh, Resident of Bajaul, P.S. - Wazirganj, District - Gaya.
5. Prabhat Kumar, Son of Naresh Singh, Resident of Village - Dakhingaon, P.S. - Wazirganj, District - Gaya.
6. Arun Kumar, Son of Sheoshankar Singh, Resident of Fatehpur, P.S. - Fatehpur, District - Gaya.

... .. Petitioner/s

Versus

1. The Bihar State Road Transport Corporation, through its Administrator, Pariwahan Bhawan, Birchand Patel Patha, Patna.
2. The Administrator, Bihar State Road Transport Corporation, Pariwahan Bhawan, Birchand Patel Path, Patna.
3. The Chief of Operation, Bihar State Road Transport Corporation, Birchand Patel Patha, Patna.
4. The Chief of Administration, Bihar State Road Transport Corporation, Birchand Patel Patha, Patna.
5. The Chief Accounts Officer, Bihar State Road Transport Corporation, Birchand Patel Patha, Patna.
6. The Regional Manager, Bihar State Road Transport Corporation, Gaya Division,
7. The Depot Superintendent, Bihar State Road Transport Corporation, Gaya Depot.
8. The Depot Superintendent, Bihar State Road Transport Corporation, Nawada Depot.
9. The Regional Manager, Bihar State Road Transport Corporation, Bankipur Depot, Patna.



10. The Depot Superintendent, Bihar State Road Transport Corporation, Bankipur Depot, Patna.
11. Murari Manohar, Son of Bhagwan Das, Resident of Ram Nagar, P.S. - Nawada, District - Nawada.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Nand Kishore Prasad Sinha, Advocate
For the Respondent/s : Mr.Prabhat Kumar Verma, AAG-3
Mr. Mukul Prasad Sinha, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(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.)

Date : 12-08-2022

Petitioners have prayed for the following relief(s):

“For issuance of an appropriate order or direction for quashing the order dated 20-09-2021 issued under Memo No. 2696 record No. ST.CME(PPP) 05/2015 as contained in annexure-6 passed by the Administrator, whereby and where under on the purported ground that Respondent No. 11 Murari Manohar is ready to withdraw C.W.J.C. No. 7549 of 2017 which is still pending before this Hon'ble Court, directed the Regional Manager, Gaya Division to issue fresh agreement under PPP made with Murari Manohar, Son of Bhagwan Das for his 56 vehicle for the route Nawada – Patna 28 huses, Nawada-Gaya 4 buses, Nawada-



Biharsharif 8 buses, Kauakole-Patna 1 Bus, Harkhar-Patna 1 Bus, Aliganj-Patna 2 Buses, Jamui-Biharsharif 1 Bus, Jamui-Gaya 1 Bus, Gaya-Jamui 1 Bus, Patna-Aliganj 1 Bus, Manudar-Patna 1 Bus, Kashichak-Patna 1 Bus, Nawada-Gaya 5 Buses and directed the Regional Manager, Gaya Division to issue fresh agreement under PPP mode with Respondent No. 11 after deposit of Rs.6,29,956.56 only on the basis of 7% share of the Corporation without issuing any tender and fixing the vacancy only the route in question depriving the other operators including the petitioners who are the operators of the aforesaid route since 2010 and also operating buses under PPP mode with the Corporation since then and as such the action of the Respondent Corporation is not sustainable in law and this vitiated.”

Shri Mukul Prasad Sinha, learned counsel for respondent No. 1, states that, in principle, pursuant to permission of In-house Committee, decision stands taken to keep the impugned order dated 20th of September, 2021 under suspension and not to be given effect to. Such decision was taken by the 3 Member Committee on 9.5.2022.

Statement accepted and taken on record.

In view of the same, petition stands disposed of, reserving liberty to the petitioner to file a fresh petition on the



same and subsequent cause of action, should the need so arise subsequently.

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

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/DKS

AFR/NAFR	
CAV DATE	
Uploading Date	16.08.2022
Transmission Date	

