

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19654 of 2021

Mal Contract Works and Security Services Pvt. Ltd., Reg. Office - Sukhmay Vihar Colony, Plot No. 504, Danupur, Christ Nagar, Shivpur Varanasi, Pin Code - 221001 (U.P.) through its Managing Director Alok Kumar Singh, aged about 54 years (male) Son of Sri Rajeshwar Singh, Resident of Village - Pipariya, Police Station - Mohania, District - Kaimur.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Agriculture Department, Government of Bihar, Patna.
2. The Director, Agriculture, Bihar, Patna.
3. Bihar Rajya Beej Nigam Limited, through its Managing Director, Bihar Rajya Beej Nigam Limited, Pant Bhawan, 6th Floor, Patna.
4. Chief of Processing, Bihar Rajya Beej Nigam Limited, Pant Bhawan, 6th Floor, Patna.
5. Chief of Finance, Bihar Rajya Beej Nigam Limited, Pant Bhawan, 6th Floor, Patna.
6. Chief of Marketing, Bihar Rajya Beej Nigam Limited, Pant Bhawan, 6th Floor, Patna.
7. Chief of Production, Bihar Rajya Beej Nigam Limited, Pant Bhawan, 6th Floor, Patna.
8. Senior Account Officer, Bihar Rajya Beej Nigam Limited, Pant Bhawan, 6th Floor, Patna.
9. M/s Indraprastha Security Service Pvt. Ltd., through its Director, 46 Ashiana Galaxy, Exhibition Road, Patna - 1

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Jitendra Prasad Singh, Adv
For the Respondent/s : Mr.Raghwand (GA11)

(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.)

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE S. KUMAR)

Date : 01-02-2022

Heard learned counsel for the parties.

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

“A. For setting aside the letter no. 533 dated 08.03.2021 issued under the signature of respondent no. 4 whereby and whereunder technical bid of the petitioner has been rejected on the ground of non availability of the residential certificate of the petitioner with respect to the tender (processing-05/2021-21) for handling and proceeding of seeds.

B. For direction to the respondent to consider the candidature of the petitioner and to accept the tender without further delay as he is eligible for the same.”

3. After the matter was heard for some time, finding the Bench not to be agreeable with the submissions made by learned counsel for the petitioner, learned counsel for the petitioner, under instructions, states that petitioner shall be content if a direction is issued to the authority concerned to consider and decide the representation which the petitioner shall be filing within a period of four weeks from today for redressal of the grievance(s).

4. Learned counsel for the respondents states that if such a representation is filed by the petitioner, the authority concerned shall consider and dispose it of expeditiously and preferably within a period of four months from the date of its filing along with a copy of this order.

5. Statement accepted and taken on record.

6. As such, petition stands disposed of in the following

terms:-

(a) Petitioner shall approach the authority concerned within a period of four weeks from today by filing a representation for redressal of the grievance(s);

(b) The authority concerned shall consider and dispose it of expeditiously by a reasoned and speaking order preferably within a period of four months from the date of its filing along with a copy of this order;

(c) The order assigning reasons shall be communicated to the petitioner;

(d) Needless to add, while considering such representation, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties;

(e) Also, opportunity to place on record all relevant materials/documents shall be granted to the parties;

(f) Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law;

(g) We are hopeful that as and when petitioner takes recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same shall be dealt with, in accordance with law and with reasonable dispatch;

(h) Liberty reserved to the petitioner to approach the appropriate forum/Court, should the need so arise subsequently on the same and subsequent cause of action;

(i) We have not expressed any opinion on merits. All issues are left open;

(j) The proceedings, during the time of current Pandemic- Covid-19 shall be conducted through digital mode, unless the parties otherwise mutually agree to meet in person i.e. physical mode;

7. The petition stands disposed of in the aforesaid terms.

8. Interlocutory Application(s), if any, stands disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

ranjan/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	NA