

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18009 of 2016

=====

M/s Tulika Enterprises through its Proprietor Vishwanath Prasad Verma, Son of Late Harihar Prasad Verma resident of Civil Line Jainath Bhawan Old G.T. Road, Police Station - Sasaram Modal, District - Rohtas.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Rural Works Department, Govt. of Bihar, Patna.
2. The District Magistrate, Jehanabad.
3. The District Programme Officer, Establishment, Jehanabad.
4. The District Education Officer, Jehanabad.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar Singh, Sr. Advocate Mr. Ranvijay Narain Singh, Advocate Mr. Manish Kumar, Advocate
For the Respondent/s	:	Mr. Binod Kumar Sinha, AC to GP-7

=====

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

2 04-05-2023 In the instant petition, petitioner has prayed for the following relief(s):-

“1. (i). To issue a appropriate writ preferably in the nature of ‘Mandamus’ commanding upon the respondent authorities to produce copy of the decision taken by the District Purchase Committee, Jehanabad in its meeting dated 19.3.2012 and upon production of the same to quash/set aside the decision by which the District Purchase Committee decided to deduct the 4% additional amount towards carriage and fitting charges of Bench and Desk supplied by the petitioner.

(ii) To issue an appropriate writ preferably in the nature of ‘Mandamus’ commanding upon the respondent authorities to pay to the petitioner sum of Rupees



7,47,040/- (Seven Lacs Forty Seven Thousand forty only) towards the amount of carriage and fitting charge of Godrej Scholar 2 Seater Bench-Desk in terms of the order bearing Memo no.722 dated 20.6.2011 issued under the signature of District Magistrate, Jehanabad with suitable interest.

(iii) To grant any other relief (s) for which the petitioner may be found entitle to in the facts and circumstances of the case.”

The first prayer is not maintainable since the petitioner has other remedy in obtaining the order dated 19.03.2012 like under the R.T.I. Act and Rules.

Learned counsel for the petitioner pointed out that Annexure-12 is required to be taken note of for the purpose of redressing the grievance of the petitioner. The petitioner has not assailed Annexure-12 dated 04.01.2016.

In view of these facts and circumstances, the present petition stands dismissed, reserving liberty to the petitioner to invoke arbitration or any other Clause available in the agreement.

(P. B. Bajanthri, J)

(Arun Kumar Jha, J)

shoaib/-

U			
---	--	--	--

