

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3871 of 2024

Sanjeet Kumar, Son of Satyedev Singh, Resident of Chauhar Arwal Anandpur, District Arwal- 804415 at present C/o Jagdish Prasad Singh New Gopaichak Lodge Langertoli Gali, Kadam Kuan, Patna- 800004.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Panchayati Raj Department, Govt. of Bihar, Panta.
2. The Additional Chief Secretary, Panchayati Raj Department, Bihar, Patna.
3. The Development Commissioner, Bihar, Patna.
4. The Director, Panchayati Raj Department, Bihar, Patna.
5. The State Project Manager, Procurement Bihar Gram Swaraj Yojna Society, 3rd Floor Biscomaun Town, Gandhi Maidan, Patna.
6. M/S Naye Drishti Naya Sabera, Patna Ram Lakhan Niwas, Azad Nagar Digha Bagicha, Digha, Patna- 800011.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Satya Prakash, Advocate
For the Respondent/s : Mr. P.K. Shahi, AG

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE HARISH KUMAR)

Date : 01-03-2024

Heard the parties.

2. The present writ petition by way of Public Interest Litigation, has been filed for a direction to the respondent(s) concerned to ensure enquiry regarding empanelment of M/s Nayi Drishti Naya Sabera, Patna, Bihar, under Bihar Gram Swaraj Yojna Society (for short “the Society”) for providing training centre in all the districts of Bihar and cancel the



empanelment of said Agency, as the same has been empanelled in collusion with the respondent-authorities, apart from the fact that the Agency does not have registration under the G.S.T Act.

3. It is contended on behalf of the petitioner that pursuant to a tender notice, applications were invited for hiring infrastructure with food and equipment necessary for conducting training programme in all the districts of the State of Bihar with certain criteria, including the Agency must have registration with G.S.T. department besides other eligibility criteria. It is further contended that the private respondent was registered with G.S.T. on 07.09.2018 but was cancelled in the year 2020 and thus the private respondent does not fulfill the eligibility criteria and, on this ground alone, the selection of the private respondent is bad. It is next contended that due to non registration with G.S.T. department the private respondent will cause financial loss to the State by way of tax evasion and moreover, in the process of selection of Agency, public fund is being utilized, so the process must be fair and all the parties/firms/agencies should be given equal opportunity in terms of NIT and the rules and regulations made therein.

4. It is to be noted that Public Interest Litigation is available for issues affecting the public at large, such as



environmental concerns, human rights violations, corruption and matters impacting social justice. The very purpose behind the P.I.L. is to ensure justice to all and promoting the welfare of the people.

5. From the materials available on record, apart from the lack of foundational facts, there is no material, much less, showing the interest of public is affected. The Government is the agency enjoined with utilization of public funds and collection of revenue. There is a full-fledged department to ensure due payment of taxes and a non-registration under the taxing statute does not absolve an entity engaged in taxable transactions from the tax payable and furthermore entails imposition of penalty.

6. In view thereof, this Court does not find any merit in the present writ petition. Accordingly, it stands dismissed.

(K. Vinod Chandran, CJ)

(Harish Kumar, J)

rohit/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	04-03-2024
Transmission Date	

