

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17201 of 2023

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Ravindra Kumar Hora son of Chuni Lal Hora, resident of Mohalla-Kachchi Saray Aara Machine Lane Musahari P.S. , District-Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Home Commissioner, Home (Jail) Department, Bihar, Patna.
3. The Director (Work Shop), Jail Inspector, Home (Jail) Department, Bihar, Patna.
4. The Inspector General, Jail, Bihar, Patna.
5. The District Magistrate cum Chairman, District Jail Purchase Committee, Muzaffarpur.
6. The Jail Superintendent, Shahid Khudiram Bose Central Jail, Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner	:	Mr. Satish Kumar Sinha, Adv.
For the State	:	Mr. P.K. Shahi (Ag)
		Mr. Manish Dhari Singh, AC to AG

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CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL ORDER

3 18-03-2024 Heard the learned counsel for the parties.

2. This writ petition has been filed for the following

relief(s):-

“(A) A writ in the nature of certiorari or any other appropriate writ/s, order/s for quashing the following:-

(i) The order dated 10.10.2023, contained in Memo No. 5085 issued by the Additional Jail Inspector General), Jail and Reform Service, Home (Jail) Department, Bihar Government, Patna by which the standard rate of



different articles for supply of the same in different jail of Bihar; during the financial year 2013-14 has been fixed by Central Purchase Committee, which is very lower to market rate and contrary to the rate, fixed by the District jail purchase Committee, and approved by District Magistrate, Muzaffarpur, in Contrary to the provision of the Rule 24 as well as Rule 1051 of Bihar Jail Manual.

(B) A writ in the nature of mandamus or any other appropriate writ/s, order/s, direction/s Commanding the respondent to make payment of the balance differential amount to the petitioner/supplier; against the articles supplied by him in Jail during the financial year 2013-14, as per the rate, fixed and recommended by the District Jail Purchase Committee, Muzaffarpur and approved by the District Magistrate, Mazaffarpur, with Penal interest, after adjusting the amount already paid to her.”

3. In the counter affidavit filed by the respondents at Para- 13, it is stated that in case the petitioner gives a representation giving the full details of the amounts due to him and along with the requisite documents in support of his case,



the department will examine the same and make the payments necessary and if the claim is found to be genuine then necessary amounts due shall be paid forthwith.

4. Learned counsel for the petitioner has stated that the petitioner has already given a representation vide Annexure-8. However, the learned counsel for the respondents has stated that there is no endorsement of the said representation of the respondents having received the same, therefore, the petitioner may be directed to give a fresh representation to the authority concerned.

5. Having regard to the above made submissions, without going into the merits or demerits of the case, the present writ petition is disposed of directing the petitioner to make a representation to the Respondent No. 5 within a period of two weeks from the date of receipt of the copy of this order along with the requisites documents. On receipt of the said representation, the Respondent No. 5 shall verify the claim of the petitioner and pass necessary orders for making the payments due to the petitioner in case they are found to be genuine. However in case the Respondent No. 5 is of the opinion that the claim of the petitioner is not genuine then he will pass a reasoned order giving the reasons for rejecting the



claim of the petitioner. The entire exercise shall be completed as expeditiously as possible preferably within a period of eight weeks from the date of the representation by the petitioner. Any order passed shall be communicated to the party.

(A. Abhishek Reddy , J)

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