

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12654 of 2025

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Azad Hussain @ Md. Azad Hussain C/o Atiullah Miyan Resident of Ashapatti, Parsauni, Sahebganj, P.O.-Karnaul, P.S.-Sahebganj, District-Muzaffarpur, Bihar, Pln-843125.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary Cum the Principal Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
3. The Additional Chief Secretary Cum the Principal Secretary, Vigilance Department, Government of Bihar, Patna.
4. The District Magistrate, Muzaffarpur, Bihar.
5. The Executive Officer, Nagar Parishad, Sahebganj, District-Muzaffarpur, Bihar.
6. Shri Randhir Lal, Executive Officer, Nagar Parishad, Sahebganj, District-Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Siddharth Shankar Pandey, Adv. Mr. Gopal Kumar, Adv. Mr. Sandeep Kumar Singh, Adv.
For the Respondent/s	:	Mr.Standing Counsel (09)

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL JUDGMENT
(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date : 19-09-2025

In the instant petition petitioner has prayed for the following reliefs:

“i) To issue an appropriate writ, order or direction for initiating a high-level investigation by an independent agency, such as the Vigilance Department, or any other competent authority, into the illegal and arbitrary conduct of Respondent No. 6 and also to restrain the



Respondent No. 6 from finalization of bids issued vide the Bids No. GEM/2025/B/6276483 which got issued for the purchase of 3000 LED Luminaires for Road and Street Lights, Bid issued vide Bid No. GEM/2025/B/6276667 which got issued for the purchase of 1 number of Refuse Compactor, Bid issued vide Bid No. GEM/2025/B/6261534 dt 26.05.2024 issued for the purchase of 7 number of High Mast Lighting Tower for Large Area with LED Flood Lighting System and Bid No. GEM/2025/B/626119 dt. 29.05.2025 which has been issued for the purchase of the 20 numbers of High Mast Lighting Tower for large areawith LED Flood Lighting System and Bid issued vide Bid No. GEM/2025/B/623699 dt. 30.06.2025 which got issued for the purchase of 50 numbers of CCTV Camera which has been issued, fraudulently, without any authority and competence and also much above the number of quantity sanctioned in the meeting of Board and also in the meeting of Empowered Standing Committee of the Nagar Parishad, Sahebganj wherein much lower number of quantity of the aforementioned items were approved.

(ii) To issue necessary direction upon the Respondent No. 2 to issue necessary order for directing the Respondent No. 6 to not finalize any of the aforementioned bids and also to not issue the Work Order in the favour of any successful bidder as because issuance of the aforesaid bids are against the guidelines of the State Government and also against law as there is no constitution of



purchase Committee in Nagar Parishad, Sahebganj as per the guideline of Department of Urban Development and Housing, State of Bihar as per which for purchase within a Municipality constitution of the purchase Committee has been made mandatory and in the said Committee, a government official from the District Administration is also nominated to the maintain the transparency and procedural fairness and such direction of State Govt. in the present case has been violated apparently.

(iii) To issue necessary direction upon the Respondent No. 6 to not finalized the any of the aforementioned Bids and also to not issue any work order in favour of any of the Successful Bidders.

(iv) To issue necessary direction upon the Respondent No. 6 for not making any payment to the any of the supplier who may supply the materials on the basis of such wrongful, illegal and unauthorized Tendering Process in the Nagar Parishad, Sahebganj.

(v) To direct for an independent forensic audit to be conducted by the Comptroller and Auditor General (CAG) or anyother competent agency into the functioning of the Respondent No. 6 to ascertain financial misappropriation, embezzlement and siphoning of the Government fund at large scale by the Respondent No. 6 and in case of any detected embezzlement or irregularity, to initiate immediate and exemplary legal and departmental action against the responsible



officials, including criminal prosecution, recovery of misappropriated funds, and permanent blacklisting from any future government assignments.

(vi) To issue a writ of Mandamus directing the State Government to immediately suspend Respondent No. 6 and also to initiate disciplinary proceedings against them for gross violation of departmental guidelines and financial mismanagement.

(vii) To issue a writ directing the State Government to ensure that all future development works in Nagar Parishad, Sahebganj be carried out strictly in compliance with the prescribed tendering process and financial limits, and to frame strict guidelines to prevent such malpractices in the future.

(viii) To pass any other order/s as may be deemed just and proper in the interest of justice.”

2. The petitioner is required to approach 2nd respondent to redress his grievance for the reasons that he is the competent authority over and above respondent no.5 and 6. Thereafter, if the 2nd respondent feels that matter is required to be inquired into from the Vigilance Department, in that event, he has to transmit the papers to the Vigilance Department to initiate appropriate proceedings.

3. Perusal of the records it is crystal clear that the petitioner has not approached the 2nd respondent, accordingly, the



present petition stands disposed of reserving liberty to the petitioner to approach 2nd respondent with all necessary materials within a period of four weeks from today. On receipt of such application with a materials, the 2nd respondent is requested to decide the petitioner’s grievance within a period of three months from the date of receipt of petitioner’s application to be filed.

(P. B. Bajanthri, ACJ)

(Alok Kumar Sinha, J)

Prakash Narayan

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	23.09.2025
Transmission Date	NA

