

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2087 of 2024

1. Systech Solutions Darbhanga through its Proprietor Chandra Shekhar, aged about 48 Years, Sex-Male, Resident of L.I.C. Building Darbhanga, Post Officer-Lal Bagh, Pin Code-846002.
2. Chandra Shekhar S/O-Pritam Das Athwani aged about 43 Years, Sex-Male, Resident of L.I.C. Building Darbhanga, Post Office-Lal Bagh, Police Station, Darbhanga Town, District-Darbhangha, Bihar-Pin Code-846002.

... .. Petitioner/s

Versus

1. The Principal Secretary to the Honble Chandellor of Bihar, Gate NO.1, S-3, Raj Bhawan Colony Bailey Road, Beside Zoo, Rajbhawan Colony, Rajbansi Nagar, Patna, Bihar-800022.
2. The Vice Chancellor, Lalit Narayan Mithilesh University, Darbhanga.
3. The Registrar, Lalit Narayan Mithilesh University, Darbhanga.
4. The Principal, M.R.M. College Lal Bagh, Darbhanga, Bihar, E-mail-mrmcollege58@gmail.com.
5. The Chairman, Executive Committee, National Assessment and Accreditation Council through University Government Commission, New Delhi.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Rohit Kumar, Adv.
For the Respondent/s	:	Mr. Rajendra Kumar Giri, Adv.
		Mr. Amish Kumar, Adv.
For the LNMU	:	Mr. Bindhyachal Rai, Adv.

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

Date : 01-09-2025

Heard the learned counsel for the parties.

2. This writ petition has been filed for the following relief(s):-

“(i) A Mandamus commanding the respondent authorities specially the Principal of M.R.M. College, Darbhanga to pay all the dues bill with compound Interest to petitioner in regarding supplied various science material and I.T. Goods during NAAC (National Assessment and Accreditation Council) in various dates of year 2016.”



3. It is the case of the petitioner that the petitioner has supplied science material and IT Goods during the NAAC (National Assessment and Accreditation Council) Inspection on various dates in the year 2016. That the above materials have been supplied to the M.R. Mahila Mahavidyalaya, Darbhanga as per the directions of the Respondents Principal. Thereafter the petitioner has submitted the bills for the material that was supplied. However, the authority has not made any payment till date that the petitioner has given several representations to the respondent for making the payments, however, the respondent without paying the amount vide letter dated 15.04.2018 has admitted the bill amount payable to the petitioner. In the said letter it is further stated that due to the financial crisis, the amount due to the petitioner is not being paid. The petitioner thereafter has issued a legal notice, but, till today the payment has not been made. That the petitioner left with no other option has filed the present writ petition. Learned counsel for the petitioner has drawn the attention of the court to the various invoices submitted by the petitioner and also the letter dated 15.04.2018 written by the then principal acknowledging the supply of the above goods by the petitioner.

4. *Per contra*, the learned counsel appearing on behalf of the Respondent No. 4 has vehemently opposed the very



maintainability of the present writ petition. Learned counsel appearing on behalf of the Respondent No. 4 has stated that the Respondent No. 4 was appointed recently. That on verification of the material supplied by the petitioner, it was found that some of the items were already consumed and some of the items were not functional. That out of the total bill of the supplied material amounting to Rs. 7,12,100/- it was found that material worth of the non functional items was Rs. 4,29,439.86/- and the price of the consumed materials was Rs. 1,51,375/-. Further it is stated that the present Principal of the College is not in a position to pay the amount as the material was supplied during the tenure of the previous principal.

5. As seen from the record, the fact that the petitioner has supplied the material in the year 2016 has not been denied by the Respondent No. 4. The Respondent No. 4 in his wisdom has constituted a Three Men Committee for verification of the supplied material vide letter dated 12.11.2020 and thereafter the committee has submitted a report on 16.11.2024. The Respondent No. 4 in his counter affidavit admits that on verification of the stock register, physical possession of the supplied material and functional and non-functional position of the supplied material, it was found that non-functional material was worth approximately Rs.



4,29,439.86/- and the price of the consumed material is Rs. 1,51,375/- and the total price of the supplied goods material was Rs. 7,12,100/-.

6. The present writ petition is liable to be allowed for the following reasons:

i) That there is no dispute that the materials have been supplied by the petitioner in the year 2016 for the purpose of NAAC inspection.

ii) The supplied material consists of materials like chemicals, lab equipment and electronic items like software, networking, CCTV camera, UPS as per the directions of the then principal.

7. Admittedly, the consumable material which has been supplied has already been utilized by the respondents and that in so far as the lab equipment and other electronic items are concerned, the only stand taken is that they are now non-functional. The authority after a lapse of eight years cannot take a stand that the equipments supplied by the petitioner are non-functional. The shelf life of the electronic items, software, UPS is very short, at the most the life span is approximately one to two years after which they will become obsolete. The payment for the supply of the goods cannot be denied on the ground that some of



the items are found to be non- functional after a lapse of eight years from the date of said supply. There is absolutely nothing on record or even a whisper stating that the items were non-functional at the time of delivery, therefore, the authority cannot deny the payment of the amounts for the material supplied.

8. Having regard to the above mentioned facts and circumstances, the writ petition is allowed. The respondents are directed to process the invoices submitted by the petitioner and make the necessary payment as expeditiously as possible preferably within a period of eight weeks from the date of receipt of the copy of this order. In case the authority does not make the necessary payment within the stipulated time, the petitioner would be entitled to simple interest at the rate of 6 per cent per annum from the date of actual supply till the date of actual payment.

9. With the above directions, the present writ petition stands allowed to the extent indicated.

(A. Abhishek Reddy , J)

Gauravkr/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	08.09.2025
Transmission Date	N/A

