

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2563 of 2026

M/s Vanprastha Infra Private Limited a Private Limited Company having its office at 204, Gangotri Arcade, LCT Ghat, Mainpura, Patna- 800001 through its authorized signatory namely Mr. Shishir Kunal (Male), aged about 40 years, Son of Sri Bambam Singh, resident of flat No. 204 Gangotri Arcade, LCT Ghat, Mainpura, Patna, Police Station- Patliputra, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Chief Secretary, Department of Health, Government of Bihar, Patna.
2. The Additional Chief Secretary, Department of Health, Government of Bihar, Patna.
3. The Director-in-Chief, Health Services, Government of Bihar, Patna.
4. The Patna Medical College Hospital, Patna- 800004 through its Superintendent, Patna, Bihar.
5. The Superintendent, the Patna Medical College Hospital, Patna- 800004, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Advocate
Mr. Pravashankar Mishra, Advocate
For the Respondent/s : Mr. Nadim Seraj, GP-4

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
and
HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE SUDHIR SINGH)

Date : 10-04-2026

Heard learned counsel for the parties.

2. The following reliefs have been sought in the present writ application:

“i. To issue a Writ in the nature of Certiorari for quashing the Memo No. 390 dated 30.01.2026 issued by respondent no.5 by which the petitioner company has been asked to submit bill for the



month May 2025 to December 2025 along with verified logbook.

ii. Consequent upon quashing of the same, to issue a Writ in the nature of Mandamus commanding the respondents to make the payment of the bill for the month May 2025 to December 2025 along with interest by calculating the averages of corresponding last year bill for the same period.

iii. To issue a Writ in the nature of Certiorari for quashing the order dated 27.01.2026 as being wholly illegal, arbitrary, without jurisdiction and violative of principles of natural justice and in teeth of laws laid down by Hon'ble Supreme Court.

iv. To any other relief or reliefs to which the petitioner is entitled in the facts and circumstances of the case.”

3. Upon perusal of the materials available on record, it appears that pursuant to the Notice Inviting Tender dated 17.10.2023, the petitioner was awarded the work of providing Generator Services at Patna Medical College and Hospital, and an agreement to that effect was executed on 30.01.2024. The petitioner continued to render services and received payments up to March, 2025. Thereafter, a dispute arose with respect to the payment of bills for the period May, 2025 to December, 2025.

4. Objections were raised by Respondent No. 5 in



relation to the bills submitted by the petitioner, primarily on the ground of non-verification of the logbook and alleged discrepancies, leading to issuance of communications from time to time.

5. In the meantime, a four- member committee was constituted, which submitted its report on 01.09.2025 (Annexure-P/4). The relevant extract of the said order is reproduced hereinbelow:

उल्लेखनीय है कि तकनीकी विशेषज्ञ श्री पवन कुमार, कनिय विद्युत अभियंता, विद्युत आपूर्ति प्रशाखा, पटना मेडिकल कॉलेज अस्पताल पटना द्वारा कमिटी के सभी सदस्यों के समक्ष यह अवगत कराया गया कि माह अप्रैल-2025 में PSS (Power Substation) का स्थानांतरण हुआ था, जिससे कुछ उर्जा का खपत बढ़ सकता है। तकनीकी विशेषज्ञ एवं कमिटी द्वारा अनुशंसा किया गया कि पिछले वर्ष ग्रीष्म काल यथा-माह मार्च-2024 से अगस्त-2024 तक के विपत्र भुगतान का औसत निकाल कर माह अप्रैल 2025 के विपत्र का भुगतान हेतु विचार किया जा सकता है। M/S Vanprastha Infra Private & Limited, के उपस्थित प्रतिनिधि द्वारा भी उक्त अनुशंसा पर सहमति दी गई है।

अतः कमिटी द्वारा अधीक्षक महोदय से अनुरोध किया जाता है कि स्व विवेक एवं अपने स्तर से निर्णय लेने की कृपा की जाय।"



6. Subsequently, Memo No. 390 dated 30.01.2026 was issued by Respondent No. 5, requiring the petitioner to submit bills along with duly verified logbooks for the relevant period. It is also noted that prior to the same, by order dated 27.01.2026, the petitioner had been debarred for a period of five years.

7. Having considered the facts and circumstances of the case, the petitioner is directed to file a fresh representation before Respondent No. 5 with regard to the claims arising out of Memo No. 390 dated 30.01.2026.

8. In the event such representation is filed, Respondent No. 5 shall consider and decide the same afresh, in accordance with law, taking into account all relevant materials on record, including the Committee report dated 01.09.2025, and after affording an opportunity of hearing to all the stakeholders preferably within a period of six weeks from the date of filing of such representation.

9. Insofar as the order of debarment for a period of five years is concerned, it is observed that in the event the petitioner raises objection before the competent authority with regard to the quantum of punishment, the concerned authority



shall be at liberty to consider the same and review the said decision in accordance with law.

10. With the aforesaid observations and directions, the writ application stands disposed of.

11. Interlocutory application(s), if any, shall also stand disposed of.

(Sudhir Singh, J)

(Shailendra Singh, J)

Sujit/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	20.04.2026
Transmission Date	

