

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.10709 of 2014**

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M/s Abhay Kumar AND Brothers, a Proprietary Concern, having its office at Shiv Bhawan, Magadh Colony, Sherghati Road, P.S. Magadh Medical College, Distt. - Gaya through its Proprietor, Dhiraj Kumar Singh Son of Shri Dineshwar Prasad Singh Resident of Shiv Bhawan, Magadh Colony, Sherghati Road, P.S. Magadh Medical College, Distt. - Gaya

.... .... Petitioner/s

Versus

1. The Union of India, Ministry of Defence, through Defence Secretary, having its office at 101 - A, South Block, New Delhi
2. The Engineer - in - Chief, Military Engineer Services, E - in - Cs Branch, Integrated Hq. of Ministry of Defence ( Army ), Kashmir House, Rajaji Marg, New Delhi
3. The Chief Engineer, Central Command, having its office at Head Quarters, Central Command, Lucknow
4. The Chief Engineer, Jabalpur Zone, Military Engineer Services, Post Box No. 84, Bhagat Marg, Jabalpur
5. The Commandar, Works Engineer, Military Engineer Services, H. Q. C.W.E. Dipatoli, Ranchi
6. The Garrison Engineer, Military Engineer Services, Gaya

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Alok Kumar Agrawal, Advocate.  
For Union of India : Mr. Awadhesh Kumar Pandey (S.C.G.2).

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**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**  
**ORAL ORDER**

6      24-09-2015                      The writ petitioner is aggrieved by reason of non-issuance of tender to it in view of its suspension and disciplinary action taken against him, and for connected reliefs.

Learned counsel for the petitioner invites attention to the order of suspension dated 31.08.2012 passed against it, which however has been lifted by the subsequent letter dated 08.11.2013 with immediate effect. Despite the ban having been lifted, the petitioner was denied issuance of tenders for different works at

different places such as Jabalpur, Gaya and Ranchi.

Learned counsel for the respondents invites attention to paragraph 8 of the counter affidavit taking a categorical stand that the 'ban imposed on the petitioner has now been lifted and they can participate in MES tendering'.

Having regard to the stand of the respondent as stated in the counter affidavit, as noticed above, the grievance of the petitioner stands redressed. It is clear that the said ban/suspension against the petitioner for obtaining tender shall not constitute a reason for non- issuance of tender to the petitioner in future.

The writ petition stands disposed.

**(Vikash Jain, J)**

AnilKrSinha/-

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