

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.17171 of 2009

=====

M/S Rajendra Singh & Brothers through its Partner Amit Kumar Son of Sri
Rajendra Singh, Resident Of Badri Narayan Bhawan, Ratu Road, Ranchi

.... Petitioner/s

Versus

1. The Engineer-in-Chief-Cum- Additional Secretary-Cum-Special Secretary
Road Construction Department, Govt. of Bihar, Bishweshwaraiya Bhwan,
Bailey Road, Patna
2. The State of Bihar through the Secretary, Road Construction Department,
Government of Bihar, Bishweshwaraiya Bhawan, Bailey Road, Patna
3. The Joint Secretary, Road Construction Department, Government of Bihar,
Bishweshwaraiya Bhwan, Bailey Road, Patna
4. The Chief Engineer (Communication), Road Cosntruction Department, North
Bihar Upbhag, Drabhanga
5. The Superintending Engineer, Road Construction Department, North Bihar,
Circle, Muzaffarpur
6. The Executive Engineer, Road Construction Department, Road Division,
Sitamarhi

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. S.B.K.Manglam
Mr. Ravi Parman

For the Respondent/s : Mr. P.K. Verma, AAG-5
Mr. Suman Kumar Jha, AC to AAG-5

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA

ORAL JUDGMENT

Date: 06-02-2015

Heard the parties.

The petitioner is aggrieved by the order dated 30.09.2009
(Annexure-10) passed by the respondent no.2, whereby representation
filed on behalf of the petitioner has been rejected and the petitioner-
Firm has been debarred from participating in any further tender for the
reasons recorded in that order.

A counter-affidavit has been filed on behalf of the
respondents wherein it has been stated that by order dated 14.12.2009
(Annexure-A to the counter affidavit) passed by the respondent no.2,
the order debarring the petitioner from participating in fresh tender

has been revoked and now, the petitioner has been permitted to participate in fresh tender.

The facts stated in the aforesaid counter-affidavit have not been controverted by the petitioner, though copy of the aforesaid counter-affidavit was served upon the learned counsel appearing on behalf of the petitioner as far back as on 25.01.2010,

In above view of the matter, this Court is of the opinion that the cause of action does not survive and the writ petition has become infructuous.

Accordingly, the writ petition stands dismissed as infructuous.

(Birendra Prasad Verma, J)

BTiwary/-

U			
---	--	--	--