

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3951 of 2009

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National Pest Control, through its Proprietor Mahesh Prasad Singh, son of
Fakira Singh, resident of Mohalla West Ashok Nagar, P.S. Lohia Nagar,
District Patna

.... Petitioner

Versus

1. The Union of India through the Director, Prasar Bharati (Broadcasting Corporation of India), Doordarshan Kendra, Chhajubagh, Patna
2. The Station Engineer, Prasar Bharati (Broadcasting Corporation of India), Doordarshan Kendra, Chhajubagh, Patna
3. The Assistant Engineer, Prasar Bharati (Broadcasting Corporation of India), Doordarshan Kendra, Chhajubagh, Patna
4. The Chief Engineer, East Region, Door darshan Kendra, Eden Garden, Akashwani Bhawan, Kolkata

.... Respondents

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Appearance :

For the Petitioner/s : None

For the Respondent/s : Mr. Sudhir Singh(Asst.Sg)
Mrs. Kanak Verma, CGC

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 13-01-2015 No one appears for the petitioner. The respondents
however are represented by their counsel.

2. From a bare reading of the relief portion of this writ
application which reads as follows:

“(i) To quash the Tender Notice dated 22.9.2008
communicated through letter No.
DDK/PAT/STORE/2(3)/08-09/695 by which fresh
quotation is invited for the same work from the same
person, who had participated in the first tender, without
any notice cancellation of the first tender.

(ii) To call for the order from the respondents by which
first tender dated 21.4.2008, was cancelled without giving
prior any notice and chance of hearing to the petitioner

who is the lowest bidder and even if no such cancellation order was communicated to the petitioner hence, it is not attached with this application and quash the same.”

it would become clear that the petitioner had a grievance with regard to issuance of a tender notice dated 22.9.2008.

3. The respondents have in defence of their action not only given the full details for issuance of such tender notice but have also stated that pursuant to the work order issued as against the impugned tender notice the work has already been completed by the successful tenderer.

4. Let it be noted that a copy of the counter affidavit was served on the learned counsel for the petitioner on 20.8.2010 but there is no rejoinder to the same which in effect would amount to admitting the facts asserted by the respondents. Thus, now when the work has already been completed, there would be hardly any occasion much less any valid reason for this Court to go into the grievance of the petitioner assailing only the impugned notice inviting tender. This writ application infact on account of subsequent events has been rendered infructuous.

5. That being so, this application is dismissed.

(Mihir Kumar Jha, J)

surendra/-

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