

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17900 of 2016

=====

1. Sanjay Kumar Son of late Bal Kishore Singh Resident of B/4, Magistrate Colony, P.O. - Ashiyana Nagar, P.S.- Rajiv Nagar, District - Patna Bihar.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Building Construction Department, Bihar, Patna, Office at Visheshwariya Bhawan, Bailey Road, Patna.
2. Principal Secretary, Building Construction Department, Bihar, Patna, Office at Visheshwariya Bhawan, Bailey Road, Patna.
3. Chief Engineer(Patna), Building Construction Department, Bihar, Patna, Office at Visheshwariya Bhawan, Bailey Road, Patna.
4. Superintending Engineer, South Bihar Circle,Building Construction Department Patna, office at Punai Chak, P.S. Shastri Nagar,Patna(Bihar).
5. Executive Engineer, Patna Building Division, Building Construction Department, Patna , Office at Lodipur, P.S. Gandhi Maidan, Patna Bihar.
6. Raju Yadav Son of late Kailash Prasad Resident of Mohalla- New Punai Chak, Hanuman Nagar, P.O. & P.S. - Shastri Nagar, District Patna (Bihar);.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Raju Giri

For the Respondent/s : Mr. Raj Balabh Pd.Yadav-Aag11

=====

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL

ORAL ORDER

2 28-11-2016 Heard learned counsel Mr. Raju Giri in support of the application and Mr. Yadav AAG-11 for the State.

The petitioner is a registered contractor and is aggrieved by grant of contract in favour of respondent no. 6 pursuant to the notice inviting tender (Annexure-1). It is stated, referring to few clauses of the standard bidding document (S.B.D) that respondent no. 6 furnish incorrect information(s) on affidavit and obtained the contract having been adjudged as the lowers bidder whereas the petitioner was placed at the second lowest bidder for the said work. The respondents committed



serious illegality in awarding the contract in favour of the respondent no.6 in breach of Instructions to Bidders contained in (S.B.D.).

Having appreciated that the contract is to be executed within a time frame and the court would consume time in providing opportunity of hearing to the private respondent, Mr. Giri, after having made submissions at some length, submits that the petitioner would raise his grievance before the Principal Secretary to the Building Construction Department, Government of Bihar (Respondent No. 2) who may be directed to examine/consider the representation of the petitioner in accordance with law and pass appropriate order(s).

Having appreciated the said stand taken by Mr. Giri, the counsel for that the State has not objected to disposal of the case granting the petitioner liberty to approach the said respondent for ventilation of his grievance as raised in the present writ petition.

The writ petition is disposed of permitting the petitioner to ventilate his grievance by filing representation before the respondent no.2 who will consider and dispose of the same in accordance with law as representation as quickly as possible preferably within two weeks from the date of filing of the representation.

(Kishore Kumar Mandal, J)

siddharth/-

U			
---	--	--	--

