

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.22337 of 2012

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Birendra Singh Son of Dudheshwar Singh, resident of village-Chechadhiri,
Police Station-Obera, District Aurangabad

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary City Development and Housing Department, Bihar, Patna
2. The District Magistrate -Aurangabad
3. The Deputy Development Commissioner-cum-Chief Executive Officer, Aurangabad
4. The Executive Officer, Nagar Panchayat Daud Nagar, Aurangabad
5. The Sub-Divisional Officer, Daud Nagar, Aurangabad
6. The Executive Engineer, N.R.E.V. Aurangabad
7. The Chief Councilor Nagar Panchayat Daud Nagar, Aurangabad
8. The Deputy Chief Councilor Nagar Panchayat Daud Nagar, Aurangabad
9. The Project Incharge Nagar Panchayat Daud Nagar, Aurangabad

.... Respondents

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Appearance :

For the Petitioner : None

For the Respondents : Mr. Ashok Kumar Gupta, AC to GP-10

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 18-10-2016

The present writ petition has been filed for quashing letter no. 310 (ka) dated 24.08.2012 issued by Executive Officer, Nagar Panchayat Office Daudagar (Aurangabad) whereby, pursuant to a decision taken in the meeting held on 30.06.2012 by Resolution No. 3 (kha), he has cancelled tender no. 03/12 and to further direct the respondents to execute the agreement of work for which the petitioner was found eligible.

2. None appears on behalf of the petitioner despite repeated calls.

3. Learned counsel for the respondent State refers to para

No. 4 of the counter affidavit filed on behalf of the respondent no. 4 to submit that the decision to cancel the tender was taken by majority vote in the newly constituted Board upon having detected several discrepancies and irregularities, including preparation of wrong estimate in a hasty manner, and as such there was no arbitrariness or malafide in such decision.

4. Considering the stand taken in the counter affidavit which has not been controverted as no rejoinder thereto has been filed on behalf of the petitioner, this Court is not inclined to interfere in the matter. The writ petition accordingly stands dismissed.

(Vikash Jain, J)

Md. Ibrarul/BT

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	22.10.2016
Transmission Date	N.A.