

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13061 of 2016

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1. Vinay Kumar Thakur, son of Bireswar Prasad Thakur, resident of Bhawanipur Jirat, P.S. Chhatauni, District & Town- Motihari, East Champaran.
2. Ajeet Raj, son of Anjani Kumar Prasad Mishra, resident of Village- Jatolia, P.S.- Baruraj, Distt- Muzaffarpur.

.... Petitioners

Versus

1. The State of Bihar.
2. The Managing Director, Bihar State Food & Civil Supplies Corporation, Birchand Patel Path, Sone Bhawan, Patna.
3. The District Magistrate, East Champaran, Motihari.
4. The District Manager, Bihar State Food & Civil Supplies Corporation, East Champaran, Motihari.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Lal Babu Singh, Advocate

For the State : Mr. Shashi Shekhar Pd. Sinha, AC to G.A.6

For the BSFC : Mr. Aditya Prakash Sahay, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA
ORAL ORDER

2 19-09-2016 Heard learned counsel for the petitioners and learned counsels for the Bihar State Food and Civil Supplies Corporation and for the State.

Learned counsel for the petitioner submits that without deciding the first NIT dated 22.5.2016 for appointment of Transport-cum-Handling Agent under Door Step Delivery System for Motihari district, the second NIT was published on 21.7.2016 for appointment of three such Agents for the same district.

Learned counsel for the respondent Corporation is unable to defend as to how the second tender notice has been published when the first tender is still pending and has not been cancelled by the Corporation.

In the above circumstances, the writ application is allowed

and it is directed that the respondents shall proceed with the decision of the tender pursuant to the NIT dated 22.5.2016 and come to a conclusion. Until final decision is taken on the first NIT, the second NIT published on 21.7.2016 shall be kept in abeyance.

(Ramesh Kumar Datta, J)

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