

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7818 of 2017

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Bhanu Pratap Shukla, Son of Madhu Mangal Shukla, Resident of Sahebpara, P.S. Sahayak, Thana, District - Katihar.

.... Petitioner

Versus

1. The State of Bihar through Mayor Katihar Municipal Corporation, Katihar.
2. The Municipal Commissioner, Katihar.
3. Vishnu Gupta son of Sahdeo Gupta
4. Pintu Gupta son of Sahdeo Gupta

Both are residents of Gami Tola, Pani Tanki Chowk, P.S. Town Thana, District Katihar.

5. Vijay Radio & Electric House, through Lacchu Begani Son of Shobha Chand Begani P.S. Town Thana, M.G. Road, District Katihar.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Adv.
For the State : Mr. Indeshwari Pd. Mandal, A.C. to G.A.-3
For the Municipal Corporation: Mr. Satya Prakash Tripathy, Adv.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 21-08-2017

Heard learned counsel appearing for the respective parties.

A tender was floated by the respondents for lightening of the Municipal road of Katihar and in pursuance thereof, the petitioner has filed the sealed cover tender, but the date which was fixed for opening of the tender was a Gazette Holiday, so the tender could not be opened and whereafter on receipt of the letter dated 24.04.2017 from the Government, the respondents have decided to withdraw the said tender and go for re-tendering.



The petitioner is aggrieved by the action of the respondents, claiming that he has got the vested right as he has filed the tender.

It is completely a misconceived argument, merely filing of the tender will not create any legal or vested right in favour of the petitioner. This Court does not find any merit in this writ application. Accordingly, this writ application is dismissed with a liberty to the petitioner that if fresh tender is floated, he may participate in the same.

If the petitioner files an application for withdrawal of the document, the Corporation will be obliged to return the same as early as possible without unnecessary delay.

(Shivaji Pandey, J)

pawan/-

AFR/NAFR	N.A.F.R.
CAV DATE	N/A.
Uploading Date	26.08.2017
Transmission Date	N/A.

