

THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.19472 of 2016

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Amit Kumar, S/o Sri Nand Kishore Singh, R/o Mohalla- Gandhi Nagar, Ward No. 8, P.O. & P.S. Sasaram, Distt.- Rohtash.

.... Petitioner

Versus

1. The State of Bihar.
2. The State of Bihar, through Principal Secretary Urban Development and Housing Department, Govt. of Bihar, Patna.
3. The Executive Officer, Nagar Parishad, Sasaram, Rohtas.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Suresh Prasad Singh, Adv.
Mr. Ranjeet Kumar Singh, Adv.
Mr. Pankaj Kumar, Adv.
For the State : Mr. Rakesh Ambastha, A.C. to A.A.G-07
For the Nagar Parishad: Mr. Vijay Shankar Gupta, Adv.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 23-02-2017

Heard learned counsel for the petitioner and learned counsel for the State.

2. In this case, the petitioner is challenging the action of the Nagar Parishad, thereby the tender, which was floated, has been withdrawn vide Memo No.3487 dated 24.10.2016.

3. As it appears that the respondent-Nagar Parishad has floated a tender, the process of e-tender was provided. The petitioner has submitted his technical as well as financial bid, but



later on, the Nagar Parishad has withdrawn the tender itself, which has been challenged by the petitioner in this writ application.

4. Learned counsel for the petitioner submits that in order to accommodate certain persons this action has been taken. But, in the body of the petition, except vague statement, there is no pleading showing the Nagar Parishad with a view to help particular person has withdrawn the tender to accommodate that person.

5. Whereas, in paragraph No.5 of the counter affidavit it has been stated that many of the registered contractor made complain that the tender process was not known to them due to server down of the said tendering process, on that ground that has been cancelled.

6. When, no any vested right has been created in favour of the petitioner as the Nagar Parishad itself has withdrawn the tender. The petitioner, if so advised, may participate in the fresh tender if any published by the Nagar Parishad.

7. In such view of the matter, this Court does not find any merit in this writ application. Accordingly, this writ application is dismissed.



8. The respondent-Nagar Parishad is directed to return all the documents to the petitioner which were filed by him within a period of one week from the date of filing of the application by the petitioner.

(Shivaji Pandey, J)

pawan/-

AFR/NAFR	N.A.F.R.
CAV DATE	N/A.
Uploading Date	07.03.2017
Transmission Date	N/A.

