

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.946 of 2017

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Rishi Builders (India) Pvt. Ltd., a company registered under the provisions of the Indian Companies Act having its registered office at Sri Krishna Nagar, East Champaran, Motihari- 845401, through its Managing Director, Mr. Shashi Bhushan Rai, son of Late Sahdeo Rai, resident of Village & P.O.- Radhia, P.S.- Govindganj, District- East Champaran, Motihari.

.... Petitioner

Versus

1. The State of Bihar through its Chairman, Principal Secretary, Rural Works Department, Govt. of Bihar, Patna.
2. The Engineer-in-Chief, Rural Works Department, Govt. of Bihar, Patna.
3. The Chief Engineer-3, Rural Works Department, Govt. of Bihar, Patna.
4. The Superintendent Engineer, Rural Works Department, Works Circle, Siwan.
5. The Executive Engineer, Rural Works Department, Works Division, Hathua.

.... Respondents

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Appearance :

For the Petitioner : Mr. Ashish Giri, Advocate

For the Respondents : Mrs. Archana Meenakchee -GP6

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 23-11-2017

The present writ petition has been filed for the following reliefs -

- (i) To issue a writ/order/direction in the nature of certiorari for quashing the decision of the Technical Bid Committee held on 10.09.2016 as per letter no. 7401, 7402 and 7403 dated 20.12.2016 by which even though earlier the petitioner was held to be financially qualified and recommended for award of contract for construction and maintenance of road work for Belwa PMGSY to Mathiya Lal, Bangra to Ahiyapur and Jajwaliya to Pipra, Hathua yet the technical bid of the petitioner has been declared ineligible in light of representation of MLA Sri Raju Tiwari, Member, Bihar Vidhan Sabha and the NIT cancelled. (Annexure-5 series)
- (ii) To hold and declare that the petitioner duly fulfilled all the eligibility criteria as per the terms of his tenders and accordingly the technical bid of the petitioner was rightly held to be responsive at the first instance.



- (iii)

To issue a writ/order/direction in the nature of mandamus directing the respondent authority to immediately award the contract to the petitioner in relation to construction and maintenance of road package No. MMGSYWB-16 Hathua-42 Belwa PMGSY to Mathiya Lal, PackageNo. MMGSYWB-16 Hathua-43 Bangra to Ahiyapur and Package No. M MGSYWB-16, Hathua-44 Jajwaliya to Pipra, Hathua in light of thd present NIT itself.
- (iv)

To any other relief or reliefs for which the petitioner is found to be entitled in the facts and circumstances of the case.

2. Mr. Ashish Giri, learned counsel for the petitioner states that considering that the respondents have gone forward with the tender, the present matter need not be pursued any further.

3. The writ petition accordingly stands dismissed

(Vikash Jain, J)

Chandran

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	23.11.2017
Transmission Date	N.A.

