

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.398 of 2016

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Tarachand Poddar, Son of Late Deep Narayan Poddar, Presently working as registered contractor in the Building Construction Department, Govt. of Bihar, Patna and residing at Sheo Nagar, South Dariyapur, Police Station- Parsa Bazar in the town and district of Patna.

.... Petitioner/s

Versus

1. The State of Bihar, through the Chief Secretary, Bihar, Patna.
2. The Secretary, Building Construction Department, Govt. of Bihar, Patna.
3. The Chief Engineer, Building Construction Department, Bihar, Patna.
4. The Superintending Engineer, Electrical Works Circle, Building Construction Department, Bihar, Patna.
5. The Electrical Executive Engineer, Electrical Works Division No.01, Building Construction Department, Patna.
6. The Electrical Executive Engineer, Electrical Works Division No.02, Building Construction Department, Patna.
7. The Electrical Executive Engineer, Electrical Works Division Muzaffarpur, Building Construction Department, Muzaffarpur.
8. The Electrical Executive Engineer, Electrical Works Division, Bhagalpur, Building Construction Department, Bhagalpur.
9. The Electrical Executive Engineer, Electrical Works Division Darbhanga, Building Construction Department, Darbhanga.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Singh, Adv.

For the Respondent/s : Mr. Binay Kr. Pandey, AC to GA-2

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 04-02-2017

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

In this case, the petitioner has raised a limited grievance with regard to notification dated 13.12.2011 with respect to making category-4 contractor as local Contractor for the district level and he could have participated with the tender up to Rs. 25 lacs. Earlier also,



there was a notification issued by the State of Bihar wherein it has been decided that class-4 contractors can only participate with the tender up to 25 lacs.

Learned counsel for the petitioner submits that classifying class-4 contractor as local contractor for the district level is causing harm to the petitioner.

An administrative action indicates the policy of the State has been taken by the State and learned counsel for the petitioner has not pointed out any arbitrariness committed by the authority in classifying Contractors in different level in which Clause-4 Contractor has been classified as local Contractor for the district level. This matter is an administrative decision of the authority and they are the best person to classify the Contractors for different level and what would be the limit for them to grant of work and this Court does not have expertise in this filed, cannot interfere in the technical matter.

This Court does not find any merit in this application and the same is, accordingly, dismissed.

(Shivaji Pandey, J)

Rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	07.02.2017
Transmission Date	

