

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.20106 of 2016

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Rajeev Nandan, son of Late Satya Narayan Singh, resident of village - Maranga,
P.S. Mansahi, District - Katihar.

.... Petitioner

Versus

1. The State of Bihar through the Secretary, Rural Works Department, Govt. of Bihar, Patna.
2. The Engineer-in-Chief-cum-Addl. Commissioner-cum-Special Secretary, Rural Works Department, Bihar, Patna.
3. The Chief Engineer - 2, Rural Works Department, Patna.
4. The Superintending Engineer, Rural Works Department, Works Circle, Purnea.
5. The District Magistrate, Katihar.
6. The Executive Engineer, Rural Works Deptment, Work Division, Katihar.
7. The Deputy Secretary Rural Works Department, Govt. of Bihar, Patna.
8. The Exeucitve Engineer, Rural Works Department, Works Division, Manihari, District - Katihar.

.... Respondents

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Appearance :

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

For the Respondent/s : Mr. Ashok Kumar Gupta, A.C. to G.P.-10

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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. The petitioner is challenging the action of the respondent, debarring him to participate in the new tender. The ground has been assigned that he has not completed the work which was allotted to him. The petitioner for the identical dispute has



already approached this Court in C.W.J.C. No.3321 of 2015, which has been dismissed as withdrawn without any liberty and as such the second writ is not maintainable in view of the decision of the Supreme Court in the case of *Sarguja Transport Service vs. State Transport Appellate Tribunal, M.P. Gwalior and Ors*, reported in *1987 AIR, 88*.

3. Learned counsel for the petitioner submits that after the withdrawal of the aforesaid writ application he approached the Tribunal and the Tribunal has passed the order in his favour.

4. In such view of the matter, the petitioner may approach the competent authority, who will act in terms of the order passed by the Tribunal.

5. With the aforesaid observations and directions, this writ application is dismissed.

(Shivaji Pandey, J)

pawan/-

AFR/NAFR	N.A.F.R.
CAV DATE	N/A.
Uploading Date	25.02.2017
Transmission Date	N/A.

