

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18313 of 2017

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M/s Rama Shri Sai Construction Pvt. Ltd. through its Director, Angesh Kumar
Son of Late Shesewar Prasad Singh, resident of Village - Aunta, P.S. - Hathidah,
District - Patna.

.... Petitioner

Versus

1. The State of Bihar through Principal Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
2. The Chief Engineer, Urban Development and Housing Department, Government of Bihar, Patna.
3. The Superintending Engineer, Urban Development Authority, Urban Development and Housing Department, Government of Bihar, Patna.
4. The Executive Engineer, District Urban Development Authority - 2, Patna.
5. The Nagar Executive Officer, Nagar Parishad, Mokama.
6. The Nagar Parishad, Mokama Patna through Nagar Executive Officer.
7. M/S Maharani Construction, Sakarwar Tola, Mokama.

.... Respondents

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Appearance :

For the Petitioner : Mr. Raj Kumar, Advocate.

For the Respondents : Mr. Kinkar Kumar, SC-9

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 12-01-2018

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

“(i) For quashing the order dated 15.11.2017 issued by respondent no. 3, the Superintending Engineer vide his letter No. 1388 written to respondent no. 4, the Executive Engineer, whereby contract work pursuant to Tender Invitation Notice (N.I.T.) No. 2/2016-17 Group No. 30 has been allotted to M/S Maharani Construction (respondent no. 7) on illegal ground that amongst two successful bidders in technical bid he has quoted minimum rate.

(ii) For further to quash the letter dated 15.11.2017 contained in letter no. 1389 issued by respondent no. 3 addressed to respondent no. 4 and respondent Executive Officer (Nagar



Parishad, Mokama) which contains a chart indicating bidders successful in "Financial Bid" and rejected in "Technical Bid" and petitioner company has been shown to be a company whose tender has been rejected in technical bid on the ground of being debarred for Tender Invitation Notice (N.I.T.) No. 2/1017-17 Group No. 29.

(iii) For further direction upon the respondent authorities not to proceed during the pendency of this writ application pursuant to the aforementioned two letters bearing letter no. 1388 dated 15.11.2017 and letter no. 1389 dated 15.11.2017 both issued by respondent no. 3.

(iv) For any other relief or reliefs for which the petitioner is found entitled in the facts and circumstances of the case."

2. At the very outset learned counsel for the petitioner submits that it will suffice if the petitioner is permitted to approach the Superintending Engineer, Urban Development Authority, Urban Development and Housing Department, Government of Bihar, Patna (Respondent No. 3) with a fresh representation for redressal of its grievances raised in the present writ petition, in which event, the present writ petition need not be pressed on merits.

3. Learned counsel for the respondents appears and has been heard.

4. Having regard to the nature of the grievances and the stand of the petitioner, the present writ petition is disposed of granting liberty to the petitioner to file a fresh representation before the Superintending Engineer, Urban Development Authority, Urban Development and Housing Department, Government of Bihar, Patna (Respondent No. 3) for



redressal of its grievances. If any such representation is filed within a period of two weeks from today, the same shall be considered and disposed of expeditiously and preferably within a further period of eight weeks thereafter in accordance with law.

(Vikash Jain, J)

Md. Ibrarul/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	23.01.2018
Transmission Date	N.A.

