

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7953 of 2017

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Kashish Developers Ltd., Registered Office at-87 Old A.G. Colony, Kadru Ranchi, Pin- 834002, Jharkhand, Local Address- at 201, Kamla Sadan Apartment, Puniachak, District- Patna, through Chandan Kumar, DGM Administration, S/o Sri Indradeo Singh, resident of Village- Barauni, P.O. + P.S. Teghra, District- Begusarai.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
2. The Managing Director, Bihar State Housing Board, Bihar, Patna.
3. The Superintending Engineer, Bihar State Housing Board, 6 Sardar Patel Marge, Patna.
4. The Executive Engineer, Bihar State Housing Board, Bhagalpur Division, Bhagalpur.

.... Respondents

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Appearance :

For the Petitioner : Mr. Ranjeet Kumar
For the Respondents : Mr. Mr. anil Kumar Sinha
Mr. Yash Mathur
Mr. Akash Keshav, Advocates.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 26-03-2018

Heard learned counsel for the petitioner as well as learned counsel for the respondents.

2. The present writ petition has been filed for setting aside NIT No. BSHB/.../16-17 dated 27.03.2017 issued under the signature of the Executive Engineer, Bihar State Housing Board, Bhagalpur Division, Bhagalpur; and after cancellation of the aforementioned tender, a fresh NIT be issued.

3. Learned counsel for the petitioner submits that the eligibility criteria and the work experience mentioned in the impugned



NIT are directly in conflict with the express provisions contained in Letter No. 3284 dated 05.05.2009 and Letter No. 3462 dated 25.03.2014 issued by the Building Construction Department, Government of Bihar, Patna and also against the minutes of the meeting dated 21.12.2016 issued by the Building Construction Department, Government of Bihar, Patna.

4. Learned counsel for the respondent-Housing Board makes a statement at the Bar on the basis of instructions that the subject NIT dated 27.03.2017 is being withdrawn and the respondents would be issuing a fresh tender notice which would not contain the conditions regarding experience criteria as appearing in Clause-3 of the instructions to applicants of the present NIT. The fresh NIT shall abide by the letters of the Building Construction Department in accordance with law.

5. The writ petition stands disposed of.

(Vikash Jain, J)

Md. Ibrarul/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	28.03.2018
Transmission Date	N.A.

