

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9145 of 2015

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Sri Awadhesh Kumar Singh, son of Late Gajendra Narayan Singh, Resident of
Mohalla- Ashok Nagar, Road No.-1D, P.S.- Kankarbag, District- Patna.

... .. Petitioner

Versus

1. The State of Bihar through Principal Secretary, Department of Urban Development, Govt. of Bihar, Patna.
2. The Principal Secretary, Department of Urban Development, Govt. of Bihar, Patna.
3. The Chief Engineer, Department of Urban Development, Govt. of Bihar, Patna.
4. The Superintending Engineer, Department of Urban Development and Housing, Govt. of Bihar, Patna.
5. The Executive Engineer, District Urban Development Authority, DUDA- 2, Patna.
6. Sri Pumpi Kumari, W/o Mahesh Kr. Singh, Gokhul Path, Patel Nagar, Patna- 23, P.S.- Shastri Nagar, District- Patna.

... .. Respondents

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Appearance :

For the Petitioner : Mr. Dharendra Kumar Singh, Advocate
For the Respondents : Mr. Akhileshwar Singh, AC to GA 2

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL JUDGMENT

Date : 17-12-2018

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

“(i) In the nature of mandamus directing and commanding the Respondents authority to produce the letter by which the private Respondent has been allotted with the work of item no. -2 of short term tender inviting notice no. - 6 of 2014-15 ignoring the claim of the petitioner and also in the nature of “Certiorari” for quashing the same letter by which the said tender was allotted to the private Respondent No. -6.

(ii) In the nature of “Mandamus” directing and commanding the Respondents authority to allot the aforesaid work to the petitioner in terms of Govt. Policy as contained in memo no. 5641(s) dated 15.7.2013 by which it has been decided that



the Superintending Engineer shall mark the tender works for unemployed Engineer who are the Register contractor for amount of work from 25 lacs to 50 lacs.

(iii) In the nature of “Mandamus” directing and commanding the Respondents authority to mark the work for unemployed Engineers in terms of policy dated 15.7.2013 in all the future advertisements.

(iv) For any other relief for which the petitioner is entitled in the fact and circumstances of the instant case.”

2. Learned counsel for the petitioner submits that the writ petition has become infructuous by efflux of time as the period of contract was for 120 days which has since elapsed and hence, it need not be pressed.

3. Learned counsel for the respondents appears.

4. The writ petition accordingly stands dismissed.

5. Needless to say, the petitioner will be at liberty to file a representation before the concerned authority for refund of earnest money, if so advised.

BT/Chandran

(Vikash Jain, J)

AFR/NAFR	NAFR
CAV DATE	N.A.
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