

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16657 of 2013

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Rabindra Singh Son Of Sri Rajdhari Singh Resident Of Village - Surwalia,
P.S. Barharia, District - Siwan

... .. Petitioner

Versus

1. The State Of Bihar
2. The Chief Engineer, Building Construction (North), Bihar, Patna
3. The Superintending Engineer, Building Construction, Chapra Anchal, Chapra
4. The District Magistrate, Siwan
5. The Executive Engineer, Building Division, Siwan
6. Sri Mritunjay Singh Son Of Not Known Resident Of Village - Ujai, P.S. Daraunda, District - Siwan

... .. Respondents

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Appearance :

For the Petitioner	:	Mr. Ajay Kumar Pandey, Miss Ranki Kumar, Mr. Sandeep Kumar, Advocates
For the Respondents	:	Mr. Vinay Kriti Singh, GA 2 Mr. Akhileshwar Singh, AC to GA 2

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date : 03-12-2018

The present writ petition has been filed for the following

reliefs –

“(i) For a direction to the respondents, particularly to the respondent no. 5 to open the petitioner's sealed envelope and do the needful.

(ii) For holding that the respondent no. 5 has allotted the tender in favour of respondent no. 6 against the terms and conditions of tender document and he acted with mala fide intention towards the petitioner because the petitioner did not fulfill the illegal demand made by the respondent no. 5.

(iii) For direction to the respondents to produce the work order issued in favour of the private respondent no. 6 pursuant to the tender notice and for issuance of writ in the nature of certiorari for quashing the work order issued in favour of respondent no. 6 as his offer was not found to be eligible as per terms and conditions of the tender notice.



(iv) For restraining the official respondents and the respondent no. 6 from executing the work during the pendency of this writ application.

(v) For any other direction, which your lordships may deem fit and proper in the facts and circumstances of the case.”

2. At the very outset, learned counsel for the respondents refers to paragraph 5 of the counter affidavit, inter alia, stating that the work in question was awarded to the private respondent no. 6, who, after signing the agreement, started with the construction work on 17.05.2013 and was in the final stage of completion. The counter affidavit has been filed on behalf of the respondents on 09.11.2014 itself.

3. Learned counsel for the petitioner states that he has no further instruction. The stand of the respondents has not been controverted as no rejoinder to the counter affidavit has been filed.

4. In that view of the matter, the writ petition clearly becomes infructuous by efflux of time and no interference is called for. The writ petition stands dismissed.

BT/Chandran

(Vikash Jain, J)

AFR/NAFR	NAFR
CAV DATE	N.A.
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