

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.8767 of 2015**

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M/s Shiv Construction

... .. Petitioner/s

Versus

The State Of Bihar & Ors

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Manish Sahay

For the Respondent/s : Mr. Anshuman Singh- Gp24

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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) For quashing of allotment order with relates to work namely “Construction of Additional Parisadan Bhawan at Supaul for the year 2015-16” issued under signature of the Chief Engineer (North) vide his Memo No. 703 (Anu) dated 06.05.2014 as contained in Annexure-3, whereby and whereunder aforesaid work has been allotted in favour of respondent no. 6 (i.e. Indra Narayan Singh Contractors pvt. Ltd, 76, Vidhayak Colony, Kautilya Nagar, Patna) in most arbitrary manner, because he was debarred to take part in any future tender vide Memo No. 1517 dated 24.11.2011 of the Executive Engineer, BCD, Works Division, Supaul (i.e. respondent no. 5).*

*(II) For commanding and directing the concerned respondent to allot the work in question in favour of the petitioner in accordance with law subject to quashing said allotment order as contained in Annexure-3, because in the said tender only two bidders had qualified in the technical bid including the petitioner.*



*(III) For declaring that the action of the respondent department is illegal, arbitrary, malicious and colourable exercise of power.*

*(IV) For passing such an order or orders for which the petitioner is entitled under the law in the facts and circumstances of this 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 eighteen months for the financial year 2015 which has since elapsed and the writ petition need not be pressed.

3. Learned counsel for the respondents appears.

4. The writ petition accordingly stands dismissed.

**(Vikash Jain, J)**

Ibrar/BT

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