

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9257 of 2015

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1. Jitendra Kumar Singh, S/O- Late Ram Vijeshwar Singh, Resident of - At+P.O.- Amba, P.S.- Amba, District- Aurangabad.
 2. Ram Narayan Singh, S/o- Late Prem Narayan Siingh, Resident of Manjhauli, P.O.- Singhna, P.S.- Amba, District Aurangabad.
 3. Abhijit Kumar, S/O -Sri Arjun Singh, Resident of Village + P.O.- Mahasu, P.S.- Amba, District- Aurangabad.
 4. Anil Kumar Singh, S/O- Late Raghav Prasad Singh, Resident of At- Jamuna Nagar, P.O.+P.S.- Aurangabad, District- Aurangabad.
 5. Ramesh Kumar Singh, S/O- Sri Sudama Prasad Singh, Village+P.O.-Singhna, P.S.- Amba, District- Aurangabad.

... .. Petitioners

Versus

1. The State of Bihar.
2. The Principal Secretary, Water resource Department, Govt. of Bihar, Patna.
3. The Secretary, Water Resource Department, Government of Bihar, Patna.
4. The Chief Engineer, Water Resource Department, Govt. of Bihar, Patna.
5. The Engineer-in-Chief, Water Resource Department, Govt. of Bihar, Patna.
6. The Superintending Engineer, Water Resource Department, Govt. of Bihar, Patna.
7. The Executive Engineer, Batane Head Works Division, Hariharganj, Camp- Amba, Aurangabad.

... .. Respondents

Appearance :

For the Petitioners	:	None
For the Respondents	:	Mr. Indradeo Prasad, SC 27 Mr. Sunil Kumar Singh, AC to SC 27

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL JUDGMENT

Date : 17-12-2018

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

“(a) For quashing the Notice Inviting Tender issued by the Office of the Executive Engineer, Batane Head Works Division, Hariharganj, Camp – Amba, District Aurangabad bearing NIT No. 03/2015-16 dated 28.05.2015 by which all the five different projects/ works (Class-II), which were earlier advertised vide two different Notices Inviting Tender (NITs) bearing NIT Nos. 01/2014-15 and 02/2014-15 dated



09.03.2015 have been clubbed together and reissued as one thereby raising the base price of the tender to a sum of Rs. 716.56 Lakh and debarring all the Class -II Regd. Govt. Contractors from participating in the process without assigning any reason to the aforesaid action.

(b) Reissuing/Restoring the above said five projects earlier issued vide NIT Nos. 01/2014-15 and 02/2014-15 dated 09.03.2015 so as to circumvent the denial of opportunity to the Class-II Regd. Govt. Contractors to participate in the bid.

(c) During the pendency of this writ application, stay the operation of Notice Inviting Tender bearing NIT No. 03/2015-16 dated 28.05.2015.

And, pass such other appropriate order(s) as per the facts and circumstances of the case.”

2. As none appeared on behalf of the petitioner the matter was passed over for a few cases. However, on repeat call the petitioner was again not represented.

3. Learned counsel for the respondents submits that the writ petition has become infructuous by efflux of time as the period of contract was for two years which has since elapsed.

4. The writ petition accordingly stands dismissed.

(Vikash Jain, J)

BT/Chandran

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	19.12.2018
Transmission Date	N.A.

