

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12991 of 2015

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M/s Kabbu Khirhar, through its partner Shailendra Kumar, Son of Sri Jageshwar Khirhar, Resident of Village- Amghatta, P.S.- Sitamarhi, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Department of Planning and Development, Government of Bihar, Patna.
3. The Superintending Engineer, Local Area Engineering Organization, Work Division-1, Sitamarhi.
4. The Executive Engineer, Local Area Engineering Organization, Work Division-1, Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s : None
For the Respondent/s : Mr.Raghwanand, GA 11
Mr. Sanjay Kumar Tiwari, AC to GA 11

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date : 21-12-2018

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.

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

(i) For issuance of appropriate writ commanding the respondent to accept/scrutinize the e-tender submitted by the petitioner for the tender namely construction of indoor stadium at Sitamarhi, Bihar, floated under NIT No. 10/2015-16 E-Tender/LAEO Work Division-01, Sitamarhi Ward No.1.



(ii) For issuance of appropriate writ commanding and directing the respondents to allow the petitioner to compete in the said E-tender of construction of indoor stadium, since the petitioner fulfills all the criteria as well as terms and conditions stipulated in the NIT No. 10/2015-16 in order to compete the said e-tender, which he has duly submitted well within the stipulated time.

(iii) For issuance of appropriate writ declaring the 'reason' assigned for disqualification of the petitioner as not tenable and further to direct the respondent authorities to accept the technical tender of the petitioner and thereafter open the financial tender and if the petitioner is found better amongst all tenderers and award the tender as aforesaid in favour of the petitioner.

(iv) for issuance of any other appropriate writ/writs, order/orders, direction/directions for which the petitioner would be found entitled under the facts and circumstances of the case.

3. Learned counsel for the respondents states that the period of contract was for a period of 12 months, which has since elapsed and the matter has clearly become infructuous by efflux of time.



4. Having regard to the stand of the respondents, the writ petition stands dismissed.

Chandran/-

(Vikash Jain, J)

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	22.12.2018
Transmission Date	NA

