

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.10136 of 2018

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Rajesh Kumar S/o Sh. Rameshwar Das, R/o H. No. 1085/2B, Vijay Nagar Kakroi
Road, P.S.- Sonapat, Haryana- 131001

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Old Secretariat, Patna.
2. The Principal Secretary, Building Construction Department, Bihar.
3. The Engineer-in- Chief cum Dy. Commissioner cum Special Secretary, Building Construction Department, Bihar, Patna.
4. Dy Secretary cum Internal Financial Advisor, Building Construction Department, Bihar, Patna.
5. The Chief Engineer, Building Construction Department, Vishwesharaiya Bhawan, Patna.
6. The Superintending Engineer, Building Construction Department, Patna Circle, Patna.
7. The Executive Engineer, Building Construction Department, Patna Division, Patna.
8. M/s Kalsi Buildcon Private Limited, Manikaran Tower, Kilburn Colony, Hinoo, Ranchi- 834002.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Parasmani, Adv

For the Respondent/s : Mr. AMIT PRAKASH- GA13

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 28-06-2018

The present writ petition has been filed for quashing the memo no. 3032 dated 12.12.2017 by which the financial bid of M/s Kalsi Buildcon Private Limited, Manikaran Tower, Kailburn Colony, Hinoo, Ranchi was opened on 12.12.2017 and the work was allotted to it in spite of its being the sole bidder without obtaining any



recommendation from the higher committee on the basis of false and fabricated documents submitted by the respondent no. 8; and for connected reliefs.

2. Learned counsel for the petitioner submits that there has been gross violation of the tender process at the level of the tender committee in awarding the work to the respondent no. 8 despite the fact that he was the sole bidder and as such the matter required to be placed before the higher committee. It is further submitted that the work has been awarded on the basis of false affidavit submitted by the respondent no. 8.

3. When the matter is taken up for consideration, learned counsel for the petitioner submits that it will suffice if the petitioner is permitted to approach the Principal Secretary, Building Construction Department, Bihar (Respondent No. 2) with a fresh representation for redressal of his grievance and in such event, the present writ petition need not be pressed on merits.

4. Learned counsel for the respondents appears and has been heard.

5. Having regard to the nature of the grievances and the stand of the petitioner, the present writ petition is disposed of with liberty to file a fresh representation before the Principal Secretary, Building Construction Department, Bihar (Respondent No. 2) for redressal of his



grievances. If any such representation is filed within a period of two weeks from today, the same shall be considered and disposed of expeditiously and preferably within a further period of eight weeks thereafter in accordance with law.

(Vikash Jain, J)

Chandran/BT

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	02.07.2018
Transmission Date	NA

