

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9423 of 2015

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Binay Kumar Singh, son of Shri Chandra Shekhar Singh, resident of village-
Paharpur, P.O.- Dariyapur, District- Lakhisarai.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, P.H.E.D, Government of Bihar, Patna.
2. The Principal Secretary, P.H.E.D., Government of Bihar, Patna.
3. The Chief Engineer, Public Health Region, Bhagalpur.
4. The Superintending Engineer, Public Health Circle, Begusarai.
5. The Executive Engineer, Public Health Division, Lakhisari.
6. Rajesh Kumar, Son of not known, resident at P.O.+P.S.- Barhaiya, District- Lakhisarai.
7. Shashi Bhushan Kumar, Son of not known, resident at Dayachak, P.O-R.S. Barh, District- Patna.
8. M/S. Rama Construction through its Proprietor Angesh Kumar, resident at Auntah, P.O+P.S.- Mokama, District- Patna.

... .. Respondents

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Appearance :

For the Petitioner	:	Mr. Sanjay Kumar Giri, Mr. Pratyush Pratap Singh, Advocates
For the Respondents	:	Mr. A. Ujjwal, SC 25

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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) To issue a writ of certiorari for quashing of order of rejection of technical bids of the petitioner issued through letter No. 381 dt. 15.05.2015 and letter No. 382 dt. 15.05.2015 in respect to group 6 and 7 of tender No. 04/PHED/LKR/2014-15 by which respondent No. 05 as annexed as Annexure:- 6 (series).

(ii) To further issue a writ of mandamus commanding the respondents not to proceed further with award of the tender to any of the private respondents of the tender No.



04/PHED/LKR/2014-15 published through letter no. 176 dt. 9.03.2015 by respondent no. 05 in respect of group 6 and 7.

(iii) To further issue a writ mandamus commanding the respondents to open the financial bid of the petitioner in respect of group 6 and 7 as the rejection of technical bid is completely illegal and is an arbitrary exercise of power by respondent no. 05 and then after comparing the rates of the different bidders the tender may be decided.

(iv) Any other relief/reliefs for which the petitioner is entitled for.”

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 four months which has since elapsed and hence, it need not be pressed.

3. Learned counsel for the respondents appears.

4. The writ petition accordingly stands dismissed.

BT/Chandran

(Vikash Jain, J)

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

