

**IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15836 of 2017**

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Dharamveer Kumar Singh, son of Ravindra Prasad Singh, Resident of Trust Colony
Malaypur, Malaypur, P.S.- Malaypur, District- Jamui.

.... Petitioner

Versus

1. The Union of India through Ministry of Railway.
2. The Divisional Railway Manager Danapur Division.
3. The Senior Divisional Manager (Commr.) Danapur.
4. The Divisional Commercial Manager, Danapur.
5. The Account Officer Commercial, Danapur.
6. The State of Bihar through, Superintendent of Police, Jamui.
7. The Dy. S.P. Jamui.
8. The S.H.O. Malaypur, Jamui, Kumar Gauri Shankar, S/o Ganesh Yadav, R/o Sahajana More, P.S. Jamui, District- Jamui.

.... Respondents

with

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Civil Writ Jurisdiction Case No. 16279 of 2017

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Kumar Gauri Shankar, Son of Sri Ganesh Yadav, resident of Sohjana More, P.S. Jhajha,
District Jamui.

.... Petitioner

Versus

1. The Union of India, through the General Manager, E.C. Railway, Hazipur.
2. The General Manager E.C. Railway, Hazipur.
3. The Chief Commissioner Manager, E.C. Rly, Hazipur.
4. The Divisional Rail Manager, Danapur.
5. The Sr. Divisional Commercial Manager, E.C. Rail, Danapur.
6. The A.D.R.M., E.C. Railway, Danapur,
7. The D.C.M. E.C. Railway Danapur.

.... Respondents

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Appearance :

(In CWJC No.15836 of 2017)

For the Petitioner : Mr. Sanjay Singh
Mr. S.P. Parasar, Advocates.

For the Respondents : Mr. Partha Sarthi, GA-4

For the Railway : Mr. Kumar Priya Ranjan
Mr. Niraj Kumar, Advocates.

(In CWJC No.16279 of 2017)

For the Petitioner : Mr. Rajesh Kumar Sinha, Advocate.

For the Railway : Mr. Siddartha Prasad, Advocate.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 22-03-2018

Heard learned counsel for the petitioner and learned
counsel for the respondents.



2. Both these writ petitions have been taken up together for the sake of convenience as they arise out of the same NIT and are being disposed of at the admission stage itself with the consent of the parties.

3. The petitioner of C.W.J.C. No. 15836 of 2017 has prayed for a direction to the respondents to award the subject tender in his favour being the highest bidder but his tender was rejected *non est* ground.

4. The writ petitioner of C.W.J.C. No. 16279 of 2017 has questioned the legality and validity of the letter dated 25.10.2017 by which the letter of acceptance issued in his favour has been withdrawn without any show cause notice.

5. Learned counsel for all the parties have no objection if the matter is sent back for fresh consideration by the respondent-Railway for a holistic consideration. It is not in dispute that the impugned order dated 25.10.2017 withdrawing the letter of allotment of the petitioner of C.W.J.C. No. 16279 of 2017 was issued without prior show cause notice and the same has been passed without assigning detailed reasons and the same is accordingly fit to be quashed.

6. The writ petitions are disposed of with a direction to the Divisional Railway Manager, Danapur Division (respondent no. 2) to take a fresh decision in the matter after hearing the petitioners of both the writ petitioners and after issuance of fresh show cause notice to the petitioner of C.W.J.C. No. 16279 of 2017.



(Vikash Jain, J)

Md. Ibrarul/BT

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	26.03.2018
Transmission Date	N.A.

