

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11575 of 2018

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Chandra Bhushan Mishra, son of Late Sushil Kumar Mishra, resident of village Dharampur, P.O. Pondil, P.S. Kurtha, District Arwal (Bihar)

.... Petitioners

Versus

1. The State of Bihar through the Secretary, Rural Works Department, Government of Bihar, Patna.
2. The Engineer-in-Chief, Rural Works Department, Government of Bihar, Patna.
3. The Chief Engineer, Rural Works Department, Government of Bihar, Patna.
4. The Superintending Engineer, Rural Works Department, Government of Bihar, Patna.
5. The Executive Engineer, Rural Works Department, Works Division, Jehanabad, District Jehanabad (Bihar), Patna.

.... Respondents

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Appearance :

For the Petitioner : Mr. Dhanendra Chaubey, Advocate

For the Respondents : Mr. K.P. Gupta, GP10

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 29-06-2018

Heard learned counsel for the petitioner as well as learned counsel for the respondents.

2. The present writ petition has been filed for quashing the letter contained in Memo No. 751 dated 16.05.2018 by the Executive Engineer, Rural Works Department, Works Division, Jehanabad (respondent No. 5) and subsequent letter no. 753 dated 16.05.2018, letter no. 809 dated 23.05.2018 by which respondent no. 5 passed order forfeiting the amount of reserve price along with agreement keeping in view of Clause 59(a) and 59(i) of Model Bidding Document; further for quashing the bid process of Tender No.



RWD/MR3054/ET/05/2018-19 dated 12.06.2018 for repairing of road from Malichak-Soharaiya Road to Jethiyara; and for connected reliefs.

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

4. Having regard to the nature of grievance, the writ petition stands dismissed with liberty to the petitioner to approach the Bihar Public Works Contracts Disputes Arbitration Tribunal for redressal of his grievances.

5. It is made clear that in case such an appeal is filed, the concerned authority would have regard to the present proceeding being pursued by the petitioner while considering any issue relating to condonation of delay, if applicable.

6. It is made clear that this Court is not expressing any opinion on the merits of the claim of the petitioner.

(Vikash Jain, J)

B.T/Chandran

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	07.07.2018
Transmission Date	N.A.

