

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2001 of 2019

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Anita Kumari aged about 29 years (Female) W/o Rajesh Kumar resident of Village - Itahi, P.S. - Durgawati, Distt.- Kaimur (Bhabhua).

... .. Petitioner

Versus

1. The State Of Bihar through the Principal Secretary, Health Department, Govt. of Bihar, Patna
2. Executive Director State Health Committee, Bihar
3. Administrative Officer State Health Society, Bihar

... .. Respondents

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Appearance :

For the Petitioner/s	:	Mr.Arvind Kumar Mouar, Advocate
For the State	:	Mr.Nagendra Prasad Yadav (SC-23)
For the State Health Society:		Mr. K.K. Sinha, Advocate
		Mr. Shashi Shekhar, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 06-03-2019 Heard learned counsel for the petitioner, learned counsel for the State and learned counsel representing the State Health Society.

Petitioner, in the present case, challenged the notice inviting tender (Annexure-1) for selecting agency for providing support for renewal of annual subscription(s), upgradation, customization, training & capacity building, establishing central helpdesk and other related activities of Tally Software in government health facilities, health department offices and other government facilities in the State working under National health Mission.

It is the contention of the petitioner that because the petitioner was earlier working for the same job, vide work order



dated 08.09.2018, there was no reason to go for E-Tender for the same work.

In course of argument, it transpired that so far as Annexure-1 is concerned, the same was already withdrawn by the State Health Society during pendency of the writ application. A fresh Tender was invited. The said fresh invitation of Tender is not under challenge in the present writ application.

In the aforesaid view of the matter, this writ application seems to have become infructuous.

Learned counsel for the petitioner has though persisted with his request to interfere with the Tender.

However, in the facts and circumstances of the case, where neither the petitioner is able to show that she had any legal or contractual right to continue to do the job in question and then the second Tender which was published during pendency of the writ application is under challenge, this court finds no reason to pass any order with respect to the fresh Tender.

The writ application seems to have become infructuous and it is disposed of, accordingly.

(Rajeev Ranjan Prasad, J)

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