

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5211 of 2019

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Vivekanand Jha, S/o Sri Ram Sagar Jha, Resident of Village-Gowpur, P.O. Bhagwatpur, P.S. Sarai Ranjan, District-Samastipur

... .. Petitioner/s

Versus

1. The Bihar State Food and Civil Supplies Corporation Ltd., Khadh Bhawan, Daroga Rai Path, R. Block, Road No.2, Patna-1, through its Managing Director
2. The Managing Director, Bihar State Food and Civil Supplies Corporation Ltd., Khaadh Bhawan, Daroga Rai Path, R Block, Road No. 2, Patna-1
3. The District Manager, Bihar State Food and Civil Supplies Corporation Ltd., Samastipur
4. The District Transport Committee, Samastipur, through the Collector, Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. P.K. Shahi, Sr.Adv. Mr.Amaresh Kumar Sinha, Adv. Mr. Ankit Katriar, Adv.
For the State	:	Mr.Md. Anisul Haque, AC to AAG-5
For the BSFC	:	Mr. Nirmal Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

6 18-11-2019 I.A. No.1 of 2019 has not been pressed by learned
counsel for the proposed intervenor. It is, thus, dismissed.

Mr. P.K. Shahi, learned senior counsel for the petitioner submits that while simultaneously hearing CWJC No.8094 of 2019 (Pranav Kumar Vs. The State of Bihar & Ors.) the said writ application has been allowed and the decision of the District Transport Committee refusing to open the financial bid of the said petitioner has been set aside. In that view of the matter, now the decision of the District Transport Committee



refusing to open the financial bid of the petitioner on the solitary ground that the petitioner remain the single bidder has lost its significance.

This Court finds substance in the submission of learned senior counsel for the petitioner.

Mr. Nirmal Kumar, learned counsel representing the Bihar State Food & Civil Supplies Corporation Ltd. is present.

In the given facts and circumstances of the case, the impugned decision of the District Transport Committee by which they refused to open financial bid of the petitioner in the present case on the solitary ground that the tender has become a case of single tender is hereby set aside and the matter is remitted to the District Transport Committee, Samastipur for a fresh consideration. The District Transport Committee, Samastipur shall now proceed to open the financial bid and will take an appropriate decision.

This application is allowed to the extent indicated above.

(Rajeev Ranjan Prasad, J)

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