

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1919 of 2020

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Sanjay Kumar Chaudhary, Son of Late Narayan Chaudhary, Proprietor of Jai Mata Di Auto, Dehri, resident of Village- Mauniya Bigha, Ward No. 8, Ratu Bigha, P.O. Dalmia Nagar, Police Station- Dehri, District- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Mines and Minerals Department, Govt. of Bihar, Patna.
2. The District Magistrate, Rohtas at Sasaram.
3. The Additional Collector, Rohtas at Sasaram.
4. Assistant Director Mines and Mineral, Rohtas at Sasaram.
5. The District Mining Officer, Rohtas at Sasaram.
6. M/S Jiya Construction Pvt. Ltd. through its Director, registered address 469/24, Canal Road, near degree College Chauraha, Raibareli (U.P.).

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Prasad Singh, Adv.
For the State : Mr. Gyan Prakash Ojha (GA-7)
For the Mines and Minerals : Ms. Vaishnavi Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL JUDGMENT

Date : 25-02-2020

The petitioner is aggrieved by the closing of contract with the private respondent No. 6 with respect to the settlement of Sand Ghat No. 25 in the district of Rohtas.



2. It has been submitted on behalf of the petitioner that against the Notice Inviting Tender (NIT) for settling of the aforesaid Ghat, the petitioner had also applied and had offered his price. The condition in the NIT with respect to timing of keeping the tender open was 5 O'clock in the evening on a particular day. However, the time limit was extended on oral directions of superior authorities and in that extended period of time, an offer was made by the private respondent No. 6 and the contract was concluded with him.

3. Learned counsel for the petitioner has submitted that no opportunity was given to him for revising his offer in view of the extended period of time and that even today, he is ready to offer more price than what has been offered and accepted by the private respondent No. 6. Apart from this, it has been submitted that a detailed representation of the petitioner before the District Mining Officer, Rohtas at Sasaram (respondent No. 5) and the District Magistrate, Rohtas at Sasaram (respondent No. 2) have gone completely unheeded.



4. As opposed to the aforesaid contention raised on behalf of the petitioner, Ms. Vaishnavi Singh, learned counsel for the Mines and Minerals Department, Govt. of Bihar, Patna has submitted that because of some technical snag, the time had to be extended and the petitioner also was provided with an opportunity of submitting his fresh offer.

5. However, the aforesaid stand of Ms. Singh is absolutely in opposition to the arguments advanced on behalf of the petitioner.

6. The situation would have been clinched easily if the representation of the petitioner before the District Mining Officer, Rohtas at Sasaram (respondent No. 5) would have been disposed off in time.

7. This Court, under the aforesaid circumstances, directs respondent No. 2 and respondent No. 5 respectively to dispose off the representation of the petitioner within a period of four weeks, to be counted from the date of receipt/production of a copy of this order, by a reasoned order.



8. With the aforesaid observation/direction,
the writ petition stands disposed off.

(Ashutosh Kumar, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
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