

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7674 of 2020

=====

Aditya Super Agricon Pvt. Ltd., a company registered under the Companies Act, 1956 having its registered office at Chauriya Tola, P.O.- Dhumnagar, P.S.- Jagdishpur, District- West Champaran, through its Director Brijesh Kumar, Male, aged about 43 years, Son of Ramashray Prasad, resident of Chauriya Tola, Dhumnagar, Ward No. 15, P.O.- Dhumnagar, P.S.- Jagdishpur, District- West Champaran

... .. Petitioner

Versus

1. The State of Bihar through Principal Secretary, Rural Works Dept., Govt. of Bihar, New Secretariat, Patna
2. The Principal Secretary, Rural Works Dept., Govt. of Bihar, New Secretariat, Patna
3. The Engineer in Chief, Rural Works Department, Government of Bihar
4. The Executive Engineer, Rural Works Dept., Works Division, Bettiah
5. The Assistant Engineer, Rural Works Department, Lower Works Division, Majhauilya

... .. Respondents

=====

Appearance :

For the Petitioner : Mr. Nilanjan Chatterjee, Advocate
For the Respondents : Mr. Ashish Kumar Lal, AC to GA-5

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date : 26-08-2021

Heard learned counsel for the petitioner and learned counsel for the respondents through video conference. Learned counsel for the petitioner has filed an undertaking that all defects pointed out by the stamp reporter shall be removed, and compliance with the conditions of the notices of this Court with regard to acceptance of e-filing shall be made, without delay immediately upon resumption of normal physical functioning of the Court, and in any event within one month thereof.



2. The following reliefs as formulated by the petitioner have been claimed in the writ petition -

“(i) For issuance of writ/order/direction including writ in the nature of certiorari for quashing of the order dated 14.01.2020 contained in Letter No. 52 (Anu) passed by respondent no. 3 by which Agreement No. 38 SBD PMGSY/2018-19 has been rescinded and the earnest money of the petitioner has been forfeited and the petitioner has also been recommended to be blacklisted without granting proper opportunity of hearing in complete derogation of principles of natural justice.

(ii) For issuance of writ/order/direction including writ in the nature of certiorari for quashing letter no. 1724 (Anu) dated 03.06.2020 issued by respondent no. 3 by which the petitioner has been debarred from participating in all future tenders permanently without affording any opportunity to the petitioner to be heard in complete derogation of the principles of natural justice.

(iii) For issuance of writ/order/direction including writ in the nature of mandamus commanding the respondents to allow the petitioner to conclude the remaining work within a reasonable time.

(iv) For issuance of writ/order/direction including writ in the nature of mandamus commanding the respondents to allow the petitioner to participate in NIT No. (RWD/MMGSY/H.Q./E.T./2020 21/03) dated 21.05.2020 for construction and maintenance of rural roads in different parts of Bihar during pendency of the writ application.



(v) For any other relief/reliefs for which the petitioner is found entitled to on the facts and in the circumstances in the instant case.”

3. Mr. Nilanjan Chatterjee, learned counsel for the petitioner fairly states that during pendency of the writ petition, the grievances of the petitioner have been redressed and as such the writ petition need not be pursued any further.

4. In the above circumstances, the writ petition stands disposed of.

5. Office shall follow-up to ensure that all defects are removed and compliance with the notices of this Court are made by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Vikash Jain, J)

Ibrar//-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	31.08.2021
Transmission Date	N.A.

