

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1672 of 2022

Vineet Kumar Son of Suresh Prasad Singh Resident of Ward no.01, Sihma North, Near Shiv Mandir, Sihman NBarari, P.O. and P.S.-Begusarai, District-Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary Building Construction Department, Government of Bihar.
2. The Principal Secretary Building Construction Department Government of Bihar, Patna.
3. The Engineer-in-Chief Building Construction Department, Government of Bihar, Patna.
4. The Chief Engineer, (North) Building Construction Department Government of Bihar, Patna.
5. The Superintending Engineer, Building Circle, Darbhanga.
6. The Executive Engineer, Building Division, Begusarai

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Alok Ranjan, Advocate
For the Respondent/s : Mr.Syed Iqbal Ahmad, SC-20

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 21-03-2022

Petitioner has prayed for the following relief(s):

“I. For quashing letter no. 80 dated 12.01.2022 issued under the signature of the Chief Engineer (North) Building Construction Department Government of Bihar whereby and where under a decision has been taken for cancellation of NIT no. 06/ Begusarai/



2021-22 for Fire Fighting work in Block Information Technology Center Building, in Bachhawara, Begusarai, and a direction has been issued for issuance and publication of fresh NIT after deleting Clause 11 of NIT.

II. For directing and commanding the respondent authorities to consider the tender process and after taking into consideration that the petitioner has qualified in the Financial Bid as well the work in question may be awarded in favor of petitioner.

III. For declaration that the decision of the authority dated 12.01.2022 is totally biased as against the petitioner, illegal, arbitrary, as well as colorable exercise of power.

IV. For directing an commanding the respondent authorities to award the work in favor of the petitioner as after opening of financial bid he was the lowest bidder (L1) and for entering into agreement with the petitioner and to allow the petitioner to complete the work.

V. For any other relief or reliefs for which the petitioner is entitled under law in the facts and circumstances of the present case.”

N.I.T. for consideration of works of civil



nature was issued in which the petitioner participated. However, the said N.I.T. was withdrawn vide impugned order dated 12th of January, 2022 (Annexure-3, page 17).

It is contended that petitioner is fully compliant and also his bid is the lowest.

Well, participation in the bid does not confer any vested right upon the bidder and, as such, no mandamus can be issued to the authorities to direct them to award the work in terms of the N.I.T. to the petitioner.

We are informed that fresh bidding process stands initiated and the last date for submission of the bid is today. It is open for the petitioner to participate therein by complying with the conditions contained in the N.I.T.

Insofar as the refund of the security/any other amount in relation to the previous N.I.T. is concerned, since the cancellation is not germane to the act and conduct of the petitioner, the respondent shall take steps for early release thereof.

Needful be positively done within a period of four weeks.

Petition is disposed of in the aforesaid terms.



Interlocutory application(s), if any, shall also
stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/DKS

AFR/NAFR	
CAV DATE	
Uploading Date	23.03.2022
Transmission Date	

