

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3847 of 2022

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Rohan Constructions Pvt. Ltd. having registered office at Chiran Mill, Hawai Adda Road, Pareuwa, Ward No. 1, Raxaul, P.S. - Raxaul, District - East Champaran, PIN 845305 represented through its authorized Managing Director namely Shri Rajnish Tripathy alias Rajnish Kumar Tripathy, male, aged about 46 years, Son of Shri Kameshwarkant Tripathy, Resident of Hawai Adda Road, Pareuwa, Ward No. 1, Raxaul, P.S. Raxaul, District - East Champaran, PIN 845305.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Rural Works Department, Government of Bihar, Patna.
2. The Principal Secretary, Rural Works Department, Government of Bihar, Patna.
3. The Deputy Secretary, Rural Works Department, Government of Bihar, Patna.
4. The Special Secretary Rural Works Department, Government of Bihar, Patna.
5. The Engineer in Chief, Rural Works Department, Government of Bihar, Patna.
6. The Executive Engineer, Rural Works Department, Work Division, Narkatiyaganj, West Champaran, District West Champaran at Bettiah.
7. The Technical Bid Evaluation Committee Represented through the Engineer - in - Chief, Rural Works Department in relation to Package No. MMGSY-NDB-BRRP-367-MANIHARI

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Y.V. Giri, Sr. Advocate Mr. Ashish Giri, Advocate
For the Respondent/s	:	Mr. Kumar Alok (SC-7)

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 05-04-2022 Petitioner has prayed for the following relief(s):-

“i. To issue a writ/order/ direction in the nature of certiorari for quashing the order bearing no.829 dated 17.02.2022 issued under



the signature of the Engineer in Chief, Rural Works Department, Government of Bihar, Patna blacklisting the Registration of the petitioner bearing Registration No. 1200116 for period of ten years. (Annexure- Pg.48).

ii. To issue a writ/order/ direction in the nature of certiorari for quashing the decision of the meeting of the Technical Bid Evaluation Committee dated 23.02.2022 by which the tender of the petitioner in relation to Package No. MMGSY-NDB-BRRP-367-MANIHARI has been held to be disqualified in light of the order of blacklisting vide letter no. 829 dated 17.02.2022 and accordingly direct the said respondent to consider the said tender of the petitioner and open its financial bid in relation to award of the tender.

iii. To pass ex-parte/ad-interim relief during the pendency of the writ application staying the operation of order dated 17.02.2022 and or direct the respondent to consider the tender of the petitioner on merit by opening its financial bid in relation to the package no. MMGSY-NDB-BRR[-367-MANIHARI by which the petitioner has been blacklisted and recovery directed and/or prevent the respondent from taking any action for recovery in terms of the order impugned.

iv. To any other relief or reliefs for which the petitioner is found to be entitled in the facts and circumstances of the case.”



After the matter was heard for some time, learned counsel for the petitioner, under instructions, seeks permission to withdraw the present petition reserving liberty to file a fresh petition, with better particulars, on the same and subsequent cause of action, should the need so arise subsequently.

Permission granted with liberty as prayed for.

Instant petition stands disposed of as withdrawn in the aforesaid terms.

Interlocutory Application(s), if any, stands disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Amrendra/PKP

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