

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4639 of 2022

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Satyendra Kumar Construction Pvt. Ltd., having its registered office at 202, Hira Enclave, New Dak Bunglow Road, P.S. Kotwali, District Patna through its Director Satyendra Kumar, Son of Sri Bhagwan Das, aged about 60 years, Male, Resident of 202, Hira Enclave, New Dak Bunglow Road, P.S. - Kotwali, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Rural Works Department, Government of Bihar, Patna.
3. The Engineer in Chief, Rural Works Department, Government of Bihar, Patna.
4. The Chief Engineer - II, Rural Works Department, Government of Bihar, Patna.
5. The Executive Engineer, Rural Works Department, Works Division, Vaisi, Purnia, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Prabhat Ranjan, Advocate
For the Respondent/s : Mr.Kumar Alok (SC 7)

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CORAM: HONOURABLE MR. JUSTICE RAJAN GUPTA
and
HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAJAN GUPTA)

2 22-04-2022 Heard the learned counsel for the petitioner and the

learned counsel for the State.

The petitioner is aggrieved by the decision of the Technical Bid Evaluation Committee, Rural Works Department as the petitioner's Technical Bid has been rejected by it. According to the petitioner, his Firm has also been debarred from participating in any future contracts.



The learned counsel for the State submits that the tender has already been cancelled.

In case, the tender has been cancelled, no cause of action survives in the present writ petition.

As regards petitioner's apprehension that he has been debarred from participating in future contract, he shall be at liberty to file a fresh representation before the concerned Principal Secretary. The learned counsel for the petitioner, at this juncture seeks liberty to apprise the said authority about the Circulars issued by the Department as regards debarment. The petitioner's plea is that the same needs to be taken into consideration before arriving at any decision. We direct that the said authority shall also consider the Circulars to be produced by the petitioner.

We, thus, dispose off this writ petition with a direction to the concerned Principal Secretary to examine the case, as per law and in light of the Circulars issued by the concerned Department and take a decision at the earliest, in any case, not later than four weeks.

(Rajan Gupta, J)

(Mohit Kumar Shah, J)

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