

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7477 of 2019

M/s KHFM Hospitality and Facility Management Services Pvt. Ltd. having its Registered office at 01, Nirma Plaza, Makhwana Road, Marol Naka, Andheri (E), Mumbai- 400059, being represented through its Manager Rajeev Kumar Singh, aged about 44 years, Male, son of Late Yoganand Kunwar, having local office at House No- 1/16, Sri Nagar, Road No- 1 (near A.G. Colony Park), Ashiananagar, Patna- 800025.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Building Construction Department (B.C.D.), Govt. of Bihar, New Secretariat, Patna.
2. The Principal Secretary, Building Construction Department (B.C.D.), Govt. of Bihar, New Secretariat, Patna.
3. The Department Tender Committee, Building Construction Department (B.C.D.), Govt. of Bihar, New Secretariat, Patna.
4. The Engineer-in- Chief-cum- Addl. Commissioner-cum- Special Secretary, Building Construction Department, Patna, Bihar.
5. The Chief Engineer, Building Construction Department, Patna, Bihar.
6. The Superintending Engineer, South Bihar Division, B.C.D., Patna.
7. The Executive Engineer, Central Division, B.C.D., Patna, Bihar.
8. Brajesh Kumar son of Sri Nageshwar Singh resident of Village- Jalvaiya, P.O. Aganur, P.S. Kaler, District- Arwal.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Abhay Shankar Singh, Advocate
For the Respondent/s	:	Mr. Manoj Kumar Ambastha, SC 26
		Mr. Subodh Kumar, AC to SC 26

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



ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 18-10-2022

The petitioner has prayed for the following relief/s :-

“1. That through this writ petition the petitioner beseeches indulgence of this Hon'ble court to issue appropriate writ/writs/orders for quashing the letter No. 2024(Bha) dated 21.02.2019 (Annexure-19) whereunder the executive engineer was directed to execute agreement with respondent No. 8 and also quashing the consequential work order contained in Memo No.1217 dated 21.02.2019 (Annexure-20) issued by the Executive Engineer, Central Building Division, Patna. The petitioner further prays for setting aside the decision taken by concerned Tender Committee contained in proceeding of meeting dated 20.02.2019 (Annexure-18); which was taken in violation of term & Conditions of tender.”

Learned counsel for the State states that the present petition has become infructuous, inasmuch as, the work order which was awarded in favour of the private respondent/s stands already executed.

As such, the present petition stands disposed of having become infructuous with liberty to the petitioner to take recourse to such remedy as are available for claiming



compensation in accordance with law.

Interlocutory application, if any, stands disposed
of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Ashwini/-

AFR/NAFR	
CAV DATE	
Uploading Date	20/10/2022
Transmission Date	

