

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7488 of 2020

Nitish Kumar, aged about 31 years, Male, Son of Satyendra Prasad Resident of Village-Balliya Near Devi Mandir, P.S.-Siwan District-Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Rural Works Department, Government of Bihar, Patna.
2. The Engineer-In-Chief, Rural Works Department, Government of Bihar, Patna.
3. The Superintending Engineer, Rural Works Department, Work Circle, Siwan.
4. The Executive Engineer, Rural Works Department, Work Division, Siwan-2,

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar, Advocate
For the Respondent/s : Mr.Lalit Kishore (AG)

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

4 10-10-2022 Petitioner has prayed for the following relief(s):-

“i) For setting aside the decision of the Tenders Evaluation Committees dated 17.06.2020 (Annexure 3 series) headed by the Superintendent Engineer, Rural Works Department, Work Circle, Siwan, whereby the petitioner was disqualified in Tender ID No. 90122, 90123, 90126, 90862, 90861 and 90847 in connection with NIT No. RWD/MMGSY/HQ/ET/2019-20/26 as well as NIT No.



RWD/MMGSY/HQ/ET/2019-20/31.

ii) For setting aside the consequential order contained in Letter No. 864 dated 29.07.2020, issued by the Superintending Engineer, Rural Works Department, Work Circle, Siwan, whereby the objection of the petitioner was disposed and he was informed that he has been disqualified in Tender ID No. 90122, 90123, 90847, 90861 and 90962 on a completely different ground i.e., non submission of the affidavit in terms of the Letter No. 1399 Patna dated 31.01.2008.

iii) For that the petitioner further prays that after setting aside the aforementioned two impugned orders, the petitioner may be held qualified in Tender ID No. 90122, 90123, 90847, 90861 and 90962 and his financial bid be also opened in all the six tenders and the final decision be taken in accordance with law.

iv) For any other relief for which the petitioner may be deemed entitled too.”

Learned counsel appearing for the State states that with the passage of time, the instant petition has become infructuous inasmuch as the work stands allotted in terms of N.I.T. dated 27.01.2020.

Statement accepted and taken on record.



In view of the same, we dispose of the petition, leaving the question of law open, to be decided in an appropriate case.

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

(Sanjay Karol, CJ)

(Satyavrat Verma, J)

K.C.Jha/-
P. Kumar

U			
---	--	--	--

