

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16688 of 2019

Shobha Devi Wife of Ramnath Prasad, Resident of Sudama Nagar, Bettiah,
P.S. Bairiya, P.S. Bairiya, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection Department, Government of Bihar, Old Secretariat, Patna- 800015
2. The Principal Secretary, Food and Consumer Protection Department, Government of Bihar, Old Secretariat, Patna- 800015
3. Bihar State Food and Civil Supplies Corporation Limited, Kadhya Bhawan, Daroga Rai Path, R- Block, Road No. 2, Patna- 800001 through its Managing Director.
4. The Managing Director, Food and Civil Supplies Corporation Limited, Kadhya Bhawan, Daroga Rai Path, R- Block, Road No. 2, Patna- 800015
5. The District Magistrate, West Champaran.
6. The District Manager, Bihar State Food and Civil Supplies Corporation Limited, Bettiah, District- West Champaran.
7. Saheb Lal Son of Late Munni Lal Resident of Gani No. 1, Indira Chowk, Ward No. 15, P.S. Bettiah, District- West Champaran.
8. Raushan Kumar, Son of Ajay Kumar Resident of Village Mukundpur, P.S. Sarai, District- Vaishali.
9. Dinbandhu Prasad Jaiswal, Son of late Ramkhelawan Prasad Jaiswal, Resident of Bazar Samiti, P.S. Bettiah Mufassil, District- West Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Suraj Samdarshi, Advocate
For the Respondent/s : Mr. Arvind Ujjwal, SC4

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 08-12-2022 Petitioner has prayed for the following relief(s):-

“i) To issue an appropriate writ, order or direction in
the nature of mandamus directing the Respondent to
bring on record the decision whereby the technical



bid of the petitioner, submitted in relation to Notice Inviting Tender No. 256, SFC Bettiah floated by the Respondent Bihar State Food and Civil Supplies Corporation Limited inviting bids for Selection and Empanelment of Main Transporting Contractors for Transporting Food Grains, has been rejected and subsequently to quash the same as being arbitrary and against the terms of the tender document and principals of natural justice.

ii) To issue an appropriate writ, order or direction in the nature of certiorari for quashing letter no. 851/SFC, Bettiah dated 01.08.2019 issued under the signature of the Respondent District Manager, Bettiah West Champaran whereby the work in relation to Notice Inviting Tender No. 256, SFC Bettiah has been awarded to the private Respondent no 7, 8 and 9.

iii) Consequent upon grant of relief no. 1 (i) and 1 (ii), to further direct the Respondents to reconsider the technical bid of the petitioner and thereafter to complete the tender evaluation process in terms of NIT 256, SFC Bettiah or in the alternative to cancel the entire process and float a fresh tender for Selection and Empanelment of Main Transporting Contractors for Transporting Food Grains.

iv) To issue an appropriate writ, order or direction in the nature of mandamus commanding the Respondent Bihar State Food and Civil Supplies Corporation Limited to produce the entire record/file relating to the evaluation of the technical bids received in relation to Notice Inviting Tender No. 256, SFC Bettiah before this Hon'ble Court.



v) This Hon'ble Court may further adjudicate and hold that the action of the Respondent Authorities, in rejecting the technical bid of the petitioner is a completely arbitrary exercise of authority/power vested in the Respondent Bihar State Food and Civil Supplies Corporation Limited.

vi) This Hon'ble Court may award the cost of litigation and suitable compensation to the Petitioner for the loss and damages caused on account of the illegal and arbitrary actions of the Respondent Authorities.

vii) To grant any other relief or reliefs which the Petitioner may be found entitled to in the facts and circumstances of the case.”

Learned counsel for the petitioner, under instructions, seeks permission to withdraw the present petition for the same having rendered infructuous.

Permission granted.

The instant petition stands disposed of as withdrawn.

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

(Sanjay Karol, CJ)

Bibhash/-

(Partha Sarthy, J)

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