

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17401 of 2019

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Ex Armymens Protection Services Pvt. Ltd. registered under Companies Act, through its Managing Director, Mr. Sunil Kumar Sinha, son of Late Shyam Bihari Lal, resident of Diwan Mohalla, Gowal Toli, Khajekala, Patna, District-Patna-800008

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary, Tourism Department, Government of Bihar, Patna
2. The Secretary Tourism Department, Government of Bihar, Patna
3. Bihar State Tourism Development Corporation Ltd. through its Managing Director having its office at Beer Chand Patel Path, Patna-800001
4. The Managing Director Bihar State Tourism Development Corporation Ltd. Beer Chand Patel Path, Patna-800001
5. The Manager Lease Bihar State Tourism Development Corporation Ltd., Patna
6. The Additional Managing Director Bihar State Tourism Development Corporation Ltd., Patna
7. M/s Chinmaye Inn RBSS Path, Near Medical College, Bhagalpur-812001

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	M/s Ashish Giri Sunit Kumar Jha, Advocates
For the Respondent/s	:	M/s Ajit Kumar (GA9) Anukriti Jaipuriyar Kumar Abhimanyu Pratap, Advocates

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 08-12-2022

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

“(i) To issue a writ / order / direction in the nature of certiorari for quashing the letter dated 18.07.2019 issued under the signature of the Additional managing Director, Bihar State Tourism Development Corporation Ltd. in



favour of respondent M/s Chinmaye Inn by which the said respondent has been held to be successful for operation and maintenance of restaurant at Hotel Kautilya Vihar Patna for period of 10 years at the price of 20 Lac rupees and has been directed to deposit the same with GST, so that allotment order can be issued an agreement entered into. (Annexure- 11).

(ii) To hold and declared that the entire decision making process for allotment of restaurant at Hotel Kautilya Vihar, Patna for 10 Years pursuant to NIT dated 08.03.2019 suffers from arbitrariness and illegality and hence, fit to be set aside.

(iii) To direct the respondent authorities to reconsider the grant of tender in favour of the petitioner as he is willing to continue with the agreement at the license fee of Rs. 30 Lac annually which is much more than what is being settled with the respondent no. 7.

(iv) To pass interim / ex-parte interim relief preventing the respondent from issuing any allotment order / agreement in favour of the respondent no. 7 M/s Chinmaye Inn and if already entered, stay the same and/or permit the petitioner to continue with the operation and maintenance of the said restaurant as it was the erstwhile licensee.

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



Learned counsel for the petitioner states that in view of the averments made in paragraph no. 4 of the counter affidavit filed on behalf of the respondent nos. 3 to 6, the present petition has become infructuous.

Accordingly, learned counsel for the petitioner seeks permission to withdraw the present petition, for the same having rendered infructuous.

Permission granted.

Present petition stands disposed of as withdrawn.

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

(Sanjay Karol, CJ)

(Partha Sarthy, J)

Spd/-Sujit

AFR/NAFR	
CAV DATE	
Uploading Date	12.12.2022
Transmission Date	

