

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18571 of 2019

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Anil Kumar son of Kedarnath Prasad resident of Village Kuava Road, Bara Chakiya, P.S. Chakiya, District- East 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, Bihar State Food and Civil Supplies Corporation Limited, Kadhya Bhawan, Daroga Rai Path, R- Block, Road No. 2, Patna 800001.
5. The District Magistrate, East Champaran.
6. The District Manager, Bihar State Food and Civil Supplies Corporation Limited, East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Suraj Samdarshi, Advocate
For the Respondent/s	:	Mr. Shailendra Kumar Singh, Advocated
		Mr. Vishwambhar Prasad, A.C. to AAG 5

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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 NIT No. 701 (a) dated 06.07.2018 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 for the district of East Champaran 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) Consequent upon grant of relief no. 1 (i), to further direct the Respondents to accept the technical bid of the petitioner and thereafter to open the financial bid of the petitioner and complete the tender evaluation process in terms of NIT No. 701 (a) dated 06.07.2018.

iii) 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 NIT No. 701 (a) dated 06.07.2018.

iv) 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. v) 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.

vi) 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)

(Partha Sarthy, J)

Bibhash/KCJha

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