

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18877 of 2019

Star Build Max Pvt. Limited Balua Tal, Motihari, District- East Champaran,
Through its Director Parvez Ahmad Khan, Son of Haseen Ahmad Khan,
Resident of Balua Tal Motihari, P.O. Motihari, P.S. Motihari Town, District-
East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Road Construction Department, Government of Bihar, Patna.
2. The Engineer-in-Chief, Road Construction Department, Government of Bihar, Patna.
3. The Chief Engineer(North Bihar), Road Construction Department, Government of Bihar, Patna.
4. The Superintending Engineer, Road Construction Department, Work Circle Muzaffarpur, Government of Bihar, Patna.
5. The Executive Engineer, Road Construction Department, Road Division, Sitamarhi.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar, Advocate
For the Respondent/s : Mr.Syed Iqbal Ahmad (SC20)

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 27-09-2022

Heard learned counsel for the parties.

Petitioner has prayed for following relief:-

~~For~~ setting aside the Order contained in Memo No. 1256 dated
~~27.08.2019~~, issued by the Executive Engineer, Road Construction
Department, Road Division, Sitamarhi, whereby the petitioner
company has been debarred from the participating in future tender in
terms of Clause-4.8 of the SBD, until he complete the work under

Agreement No. 01 SBD / 2018-19, without issuing show cause without considering the admitted fact that the Bill of Rs. 3500000/- thirty five Lakh was due even on 27.08.2019 and out of which Rs. 26.00 approx. was paid to the petitioner on 30.08.2019 and also without considering the fact that admittedly the diversion was broken in Flood for no fault on the petitioner of the petitioner, which the petitioner prepared temporarily by investing his own money.

The order of debarment has been issued in the light of two letter i.e. Letter No. 549 Dated 22.04.2019 and Letter No. 679 Dated 29.05.2019, but in none of the letter the respondents have used the word debarment.

- ii. For any other relief for which the petitioner may deem entitled to.

Learned counsel for the petitioner seeks permission to withdraw this petition.

Accordingly, this petition is disposed of as withdrawn.

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

(Sanjay Karol, CJ)

(S. Kumar, J)

Sanjay/-ranjan

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	29.09.2022
Transmission Date	NA