

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16864 of 2022

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Kaushal Kumar Son of Kesho Prasad @ Keshav Prasad, Resident of Mohalla-
Purani Godwan, Police Station Kotwali, District- Gaya.

... .. Petitioner/s

Versus

1. Bihar State Food and Civil Supply Corporation Limited through its
Managing Director, Daroga Prasad Rai Path, Patna.
2. The Managing Director, Bihar State Food and Civil Supply Corporation
Limited, Daroga Prasad Rai Path, Patna.
3. The District Officer-cum-Chairman, District Transport Committee of BSFC,
Gaya.
4. The District Manager, Bihar State Food and Civil Supply Corporation
Limited-cum-Secretary, District Transport Committee, Gaya.
5. The District Transport Officer-cum-Member, District Transport Committee,
BSFC, Gaya.
6. The Additional Collector, Member, District Transport Committee, BSFC,
Gaya.
7. The District Development Officer, Member, District Transport Committee,
BSFC, Gaya.
8. The District Supply Officer-cum-OSD of District Magistrate, Gaya, District-
Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. P. N. Shahi, Sr. Advocate Mr. Rabindra Kumar Priyadarshi, Advocate
For the Respondent/s	:	Mrs. Anuradha Singh, SC-21 Mr. Shailendra Kumar Singh, Advocate Mr. Utkarsh Utpal, Advocate

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

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(The proceedings of the Court are being conducted by Hon'ble the Chief Justice/ Hon'ble Judges through Video Conferencing from their residential offices/residences. Also, the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences/offices.)

Date : 09-12-2022

Heard learned counsel for the parties.

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

- A.** For quashing of Memo No.- 1384 dated 27.08.2022 whereby the Bid of the petitioner has been found technically invalid and therefore rejected on knownest ground.
- B.** For issuance of appropriate direction directing the respondent authorities to declare the Bid of the petitioner as responsive one and further the authorities be directed to allow the petitioner in financial bid.
- C.** For grant of other relief/reliefs for which the petitioner is found entitled from the facts of circumstances of the case.

Learned counsel for the respondents states that pursuant to NIT dated 29.01.2022 (Annexure-1, Page-16), the work already stands awarded to the successful bidder. Also, the petitioner has preferred the objection petition dated 05.09.2022 before Respondent No. 3, namely, the District Officer-cum-Chairman, District Transport Committee of BSFC, Gaya (Page-39), which is yet pending consideration. He further states that petitioner shall have no objection if the said petition is directed



to be disposed of expeditiously.

Shri P.N. Shahi, learned Senior Counsel appearing on behalf of the petitioner, states that the objection petition be directed to be disposed of expeditiously.

Under these circumstances, we dispose of the present petition in the following mutually agreeable terms:-

(a) Petitioner shall make himself available in the office of Respondent No. 3, namely, The District Officer-cum-Chairman, District Transport Committee of BSFC, Gaya on 26th of December, 2022, at 10:30 A.M.;

(b) The said respondent shall fix a date affording opportunity to the petitioner to place on record additional material;

(c) Petitioner shall fully cooperate in the proceedings;

(d) The authority concerned shall pass an appropriate order, expeditiously, in accordance with law;

(e) Needless to add, order assigning reasons, shall be communicated to the petitioner;

(f) Liberty reserved to the petitioner to challenge the said order, in accordance with law.

The instant petition stands disposed of in the aforesaid terms.



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

(Sanjay Karol, CJ)

(Partha Sarthy, J)

Amrendra/PKP

AFR/NAFR	
CAV DATE	
Uploading Date	13.12.2022
Transmission Date	

