

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.176 of 2020

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Amarpur Construction Co. Pvt. Ltd. a registered company having its place of business at Amarpur, P.s.- Amarpur, District- Banka through one of its Director namely Santosh Kumar Kanodia, Male, aged about 32 years, son of Sri Sahdeo Kanodia, Resident of Village- Amarpur, P.s.- Amarpur, District- Banka

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Road Construction, Govt. of Bihar, Patna
2. The Principal Secretary, Department of Road Construction, Govt. of Bihar, Patna
3. The Engineer in Chief Department of Road Construction, Govt. of Bihar, Patna
4. The Chief Engineer (North) Department of Road Construction, Govt. of Bihar, Patna
5. The Superintending Engineer (North) Department of Road Construction, Muzaffarpur Circle, Muzaffarpur
6. The Executive Engineer Road Division, Department of Road Construction, Muzaffarpur-1
7. The Assistant Engineer Road Subdivision, Department of Road Construction, Deoriya, Muzaffarpur-1
8. The Junior Engineer Road Subdivision, Department of Road Construction, Deoriya, Muzaffarpur-1

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Gautam Kumar Kejriwal, Advocate
For the Respondent/s : Mr.Manoj Kumar Ambastha (SC 26)

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 16-08-2022 Petitioner has prayed for the following relief(s):-

“a) For issuance of a writ in the
nature of certiorari for quashing of the letter
bearing reference number 2223 dt. 15.11.2019



issued by the respondent no. 6 whereby the petitioner has been held and declared a defaulter and debarred from participation in future tenders without any opportunity of hearing afforded before such decision taken directly affecting the substantial right of the petitioner;

b) For holding and a declaration that before the said decision of debarment of the petitioner was taken, the respondent number 6 ought to have issued prior notice upon the petitioner in order to award an opportunity of explanation and placement of its case before any such harsh action was taken therefore the impugned decision is illegal, arbitrary and in teeth of principles of natural justice;

c) For holding and a declaration that the petitioner is entitled to participate in all the tenders of all the departments, organisations, institutions and undertakings and the petitioner's right as such is not affected by the impugned order communicated through the letter bearing reference number 2223 dt. 15.11.2019;

d) For issuance of a writ in the nature of mandamus directing the respondents to consider the time extension application bearing reference number ACCPL/2019/234 dated 14.11.2019 along with all the documents enclosed with the said application which has already been recommended by the respondent number 6 to the Department of road construction for approval and also to unconditionally grant time extension to the petitioner for completion



of the remaining work;

e) For issuance of a writ order or direction upon the respondents to remove all practical difficulties and hindrances being faced by the petitioner in course of execution of the balance of the work which has already been dealt with in detail by the petitioner in the time extension application pending before the respondents so that the petitioner may complete the balance of the work within a timeframe;

f) For grant of any other relief or reliefs to which the petitioner is found entitled in the facts and circumstances of this case.”

Learned counsel for the petitioner, under instructions, states that, in view of the intervening developments, the petition may be permitted to be withdrawn.

Prayer allowed.

Petition is disposed of as withdrawn.

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

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/-DKS

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