

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.29 of 2019

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Ganesh Kumar S/o Sri Dewvali Ray, Resident of Mohalla- East Saristabad,
Main Bypass Road, P.S. Gardanibagh, District Patna.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Department of Urban Development and Housing, Govt. of Bihar, Patna.
2. The Principal Secretary, Department of Rural Works, Govt. of Bihar, Patna.
3. The Special Secretary, Department of Urban Development and Housing, Government of Bihar, Patna.
4. The Chief Engineer, Department of Urban Development and Housing, Government of Bihar, Patna.
5. The Superintending Engineer, Bihar Urban Development Agency, Department of Urban Development and Housing, Govt. of Bihar, Patna.
6. The Executive Engineer, District Urban Development Agency-2, Department of Urban Development and Housing, Govt. of Bihar, Patna.
7. The Executive Officer, Municipal Council, Bakhtiyarpur, Patna.
8. The Director, Municipal Administration, Department of Urban Development and Housing, Government of

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Uday Pratap Singh, Advocate
For the Respondent/s : Mr. Kinkar Kumar -SC-9

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 10-10-2022

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

A (i) A writ in the nature of certiorari or any other appropriate writ, for quashing the order dated 30.08.2018 contained in Memo No. 11 न० वि० अभि० (को०) issued by Respondent No. 3 whereby and whereunder he has debarred the petitioner from participation in any tender of the department of Urban Development and housing



for next 3 years with immediate effect.

B. For any other relief/s to which the petitioner is found entitled for.”

With the passage of time, we find the petition to have become infructuous for the impugned order dated 30th of August, 2018 (Annexure-5, page-16) was passed debarring the petitioner from participating in any tender process for a period of three years. However, we notice that prior to the passing of the said impugned order no notice to show cause was ever issued nor the material referred to and relied upon ever supplied to the petitioner.

As such, the order is unsustainable in law which we do hereby quash.

Petition stands disposed of in the aforesaid terms.

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

(Sanjay Karol, CJ)

(Satyavrat Verma, J)

K.C.Jha/-
P. Kumar

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