

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1484 of 2022

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M/s Star Construction Balua Tal Motihari District- East Champaran through its Proprietor Parvez Ahmad Khan, aged about 49 years, Gender Male, Son of Haseen Ahmad Khan, Resident of Balua Tal, Motihari, P.O.- Maotihari, P.S.- Motihari Town, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Rural Works Department, Government of Bihar, Patna.
2. The Additional Chief Executive Officer-cum-Secretary, Bihar Rural Road Development Agency, Bihar, Patna.
3. The Engineer-in-Chief, Rural Works Department, Government of Bihar, Patna.
4. The Chief Engineer-3, Rural Works Department, Government of Bihar, Patna.
5. The Executive Engineer, Rural Works Department, Work Division Belsand.
6. The Executive Engineer, RWD, Works Division, Pakridayal.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar
For the Respondent/s : Mr.Lalit Kishore (Ag)

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 03-01-2023 Petitioner has prayed for the following relief (s) :-

“I. For setting aside the order contained in Memo No. 2213 Dated 23.07.2021 issued by the Engineer-in-Chief, Rural Works Department, Government of Bihar, Patna to the extent it relates to the petitioner, whereby the petitioner has been declared defaulter and has been debarred from participating in future tender, as the order has been passed without show cause and further the order of debarment has been communicated for the petitioner for the first time by the Executive Engineer, RWD, Works Division Pajridayal through WhatsApp on 14.01.2022.

II. For holding and declaring that the order of debarment contained in Memo No. 2213 Dated 23.07.20221 passed by Engineer-in-Chief, Rural Works



Department, Government of Bihar, Patna shall not be treated to in force for the reason that the petitioner had no information about the order of debarment and same was never communicated to the petitioner prior to 23.07.20221.

III. For that the respondents authorities be directed to open the Consider the tenders of the petitioner submitted in item no. 2, 3 and 4 in RE-Tender Notice Inviting No.- MR-3054-08/2021-22 and two tender in tender notice bearing NIT No. (RWD/NABARD /Parkdayal/E-Tender/06/2021-2022 Issued with the signature of Executive Engineer, RWD, Pakridayal.

IV. For any other relief for which the petitioner may be deemed entitled to.”

Learned counsel for the petitioner 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)

PKP/ Sanjeev/-

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