

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10933 of 2017

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Rizwan Khan Son of Maqsood Ahmad Khan, resident of Road No. 1,
Mohalla- Aliganj, P.S.- Chandauti, District and Town- Gaya.

... .. Petitioner/s

Versus

1. The State Of Bihar through Home Secretary, Department of Home,
Secretariat, Patna
2. Inspector General of Police, Central Zone, Patna.
3. Deputy Inspector General of Police, Central Zone, Patna.
4. Senior Superintendent of Police, Gaya.
5. Commandant, Police Line, Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rashid Izhar, Advocate

For the Respondent/s : Mr. Ajay Kumar, AC to GP 4

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and

HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 26-04-2023

Heard learned counsels for the respective parties.

2. In the instant petition, petitioner has prayed for the
following relief/reliefs:

“i. For issuance of a writ or writ in the
nature of Mandamus commanding the Respondents
specially Respondent No. 4 not to process and allot
Tender for outsourced Motor Vehicles on annual
contract held on 14-15.07.2017 under Security Related
Expenditure Scheme (S.R.E.) by adopting a procedure
to oust the Petitioner from consideration and to allot
the tender to the chosen favorite on a much higher bid
amount than to the Petitioner, who is the lowest bidder.

ii. For issuance of a writ or writs in the
nature of Mandamus commanding the Respondent



Nos. 4 and 5 not to settle the contract with a private party on the basis of unreasonable conditions which is to eliminate the Petitioner from the tender process of the S.R.E. Scheme.

iii. For issuance of writ or writs in the nature of Certiorari quashing the bid dated 14.07.2017 by the Respondent No. 4 which is opened on 14.07.2017 but was not allotted to anyone by reserving the same and the bid is going to be allotted on 18.07.2017 at the back of the bidders in a private manner which is impermissible under law.

iv. For direction that the Tender inviting document may not incorporate irrational conditions so that wider competitive bidding by the intended transporters could be possible for the benefit of the ex-checker and public fund.

v. For issuance of such other order/orders, direction/directions as your Lordships may deem fit and proper.”

3. Perusal of the records, it is evident that there is no interim order insofar as staying the operation of NIT, therefore, we have to draw inference that in the absence of interim order, subject matter of NIT has spent its force.

4. Accordingly, the present petition stands disposed off as it has become infructuous.

(P. B. Bajanthri, J)

(Arun Kumar Jha, J)

GAURAV S./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	27.04.2023
Transmission Date	NA

