

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.2267 of 2022**

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Satyendra Kumar Construction Pvt. Ltd., having its registered office at 202, Hira Enclave, New Dak Bunglow Road, P.S. - Kotwali, District Patna through its Director Deepak Kumar @ Dipak Kumar, aged about 41 years, male, Son of Sri Narayan Prasad, Resident of Bhikhna Pahari, Opposite Patel Hostel, P.S. - Pirbahore, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Water Resources Department, Government of Bihar, Patna.
2. The Engineer in Chief, Irrigation Creation, Water Resources Department, Government of Bihar, Patna.
3. The Chief Engineer, Sichai Srijan, Water Resources Department, Bhagalpur, Bihar.
4. The Executive Engineer, Irrigation Division, Tarapur, District - Bhagalpur, Bihar.
5. M/s Baijnath Nirman India Private Limited Head Office, East Gandhi Maidan, Dist- Jehanabad, 804408.

... .. Respondent/s

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**Appearance :**

|                      |   |                              |
|----------------------|---|------------------------------|
| For the Petitioner/s | : | Mr. Prabhat Ranjan, Advocate |
| For the Respondent/s | : | Mr. Vinay Kirti Singh, GA 2  |
|                      |   | Mr. Akhileshwar, Advocate    |
|                      |   | Mr. Siyaram Sahi, Advocate   |
|                      |   | Mr. Manoj Kumar, Advocate    |

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**CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI**  
**and**  
**HONOURABLE MR. JUSTICE JITENDRA KUMAR**  
**ORAL JUDGMENT**  
**(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)**

**Date : 13-07-2023**

Pursuant to earlier order dated 06.07.2023, respondent No.2 *Mr. Iswar Chandra Thakur*, the Engineer in Chief, Irrigation Creation, Water Resources Department, Government of Bihar Patna and respondent No. 3, *Mr. Sanjay Kumar Sriwastya*, Chief



Engineer, Sichai Srijan, Water Resources Department, Bhagalpur, Bihar are present in the Court.

2. Heard learned counsels for the respective parties.

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

(i) Opening and considering the Financial Bid (Price Bid) submitted in connection with Notice Inviting Tender No. 05/SBD?2021 – 22 in connection with the work of construction of Check Dam on Mani River and Renovation of its Pyne at village Ghara, Block Bariarpur, in the District of Munger.

(ii) Direction upon the Respondents to issue the Letter of Acceptance and execute the Agreement in case, after opening of the Price Bid, the petitioner is declared as a lowest Bidder and is otherwise qualified for being awarded the work in terms of the stipulation in the notice Inviting Tender; and

(iii) Restraining the Respondents from creating any third party right during the pendency of the present writ application without the permission of this Hon'ble Court.

4. The petitioner's technical bid is stated to have been rejected on 24.01.2022. The same was not made available to the petitioner, therefore, he was compelled to present this petition



seeking writ of mandamus for consideration of his name under the financial bid.

5. During pendency of the present petition, the concerned respondent was stated to have communicated the rejection of petitioner’s technical bid on 24.01.2022. In the light of these development, present petition does not survive for consideration.

6. Accordingly, present writ petition stands disposed of reserving liberty to the petitioner to assail the rejection of technical bid dated 24.01.2022 in accordance with law.

**(P. B. Bajanthri, J)**

**( Jitendra Kumar, J)**

GAURAV S./-

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| AFR/NAFR          | NAFR       |
| CAV DATE          | NA         |
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