

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10017 of 2018

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Anjisnu Construction Through Its Proprietor Jitendra Kumar Tiwari, Son of Prabhu Nath Tiwari Resident of Village - Hasua, Police Station - Nautan, District Siwan.

... .. Petitioner/s

Versus

1. The State Of Bihar, through its Chief Secretary, Patna, Bihar.
2. The Principal Secretary, Road Construction, Govt. of Bihar, Patna.
3. The Secretary, Rural Works Department, Govt. of Bihar.
4. Chief Executive Officer, Bihar Rural Road Development Agency (BRRDA) Patna.
5. Engineer-in-Chief, Rural Works Department, Govt. of Bihar, Patna.
6. Additional Chief Executive Officer-cum-Secretary, Rural Road Development Agency (BRRDA), Patna.
7. Superintending Engineer, Rural Works Department, Works Circle, Siwan.
8. Member Secretary-cum-Executive Engineer, Rural Works Department, Works Division, Gopalganj - 2.
9. Member-cum-Executive Engineer, Rural Works Department, Works Division, Siwan - 2.
10. Member-cum-Divisional Account Officer, Rural Works Department, Works Division, Gopalganj - 2.

... .. Respondent/s

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Appearance :

For the Petitioner/s : None
For the Respondent/s : Mr. Manish Kumar, AC to AAG-6(EX)

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

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

4 11-04-2023 None appears for the petitioner.

In the instant petition, petitioner has prayed for the
following relief(s):-

*“1. That this an application for issuance of appropriate
writ/writs, order or orders or direction for quashing the*



decision of Departmental Tender Committee of Bihar rural Road Department Agency, Patna (BRRDA) contained in Letter No. BRRDA (HQ) PMGSY-925/2017 (Annexure-5) 6824 dated 4.12.2017 by which the financial Bid of the petitioner has been rejected without evaluating or assessing it even after opening the same in re-Tender Notice by violating the guidelines as well as by violating the principle of natural justice. And also for direction to the Departmental Tender Committee (HQ) Patna of BRRDA to accept the Financial Bid of the petitioner which has not been declare unfit or inappropriate in price when it was opened having being single one but not evaluated in Re-Tender Notice.”

On 18.03.2023 and 04.04.2023 following orders were passed.

“(18.03.2023)

None appears for the petitioner.

Prima facie, the present petition do not survive for consideration in the light of relief sought in the present petition to the fact that there is no interim order. In order to give one more opportunity, relist this matter on 04.04.2023. If there is no representation on behalf of the petitioner, matter would be decided with the available records.

(04.04.2023)

At the request of learned counsel for the petitioner, relist this matter on 11.04.2023.”

Having regard to the relief sought in the present petition and the fact that there is no interim order, subject matter



of NIT must have attained finality.

Accordingly, the present petition stands dismissed as
it has become infructuous.

(P. B. Bajanthri, J)

(Arun Kumar Jha, J)

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DKS/-

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