

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5910 of 2023

Abhishek Kumar Singh, Son of Krishan Kumar Singh Resident of Ward No. 23, Village Ruidasa Hanuman Nagar, P.O. Kishanganj, P.S. Kishanganj, District- Kishanganj.

... .. Petitioner/s

Versus

1. The District Magistrate, Kishanganj.
2. The Deputy Development Commissioner, Kishanganj.
3. The Additional Collector, Kishanganj.
4. The District Transport Officer, Kishanganj.
5. The District Manager, Bihar State Food and Civil Supplies Corporation Ltd. Kishanganj.
6. The Managing Director, Bihar State Food and Civil Supplies Cooperation Ltd. Patna Bihar.
7. The District Supply Officer, Kishanganj.
8. The Additional District Manager (Public Distribution), Bihar State Food and Civil Supplies Corporation Ltd, Kishanganj.
9. Tanweer Ahmad Son of late Md. Wasim Resident of Line Masjid, P.S. Kishanganj District Kishanganj
10. Md. Imran Son of Late Abdur Rahman Resident of Village Ruidhasa, P.S. Kishanganj, District Kishanganj.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Udhav, Advocate
For the State	:	Mr. Bijay Kr. Sinha, Advocate
For the BSFC	:	Mr. Shailendra Kr. Singh, Advocate
For Respondent Nos. 12-13:	:	Mr. Alok Ranjan, Advocate

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

Date : 11-08-2023

Heard learned counsels for the parties.

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



"1. That the present writ petition is for quashing/ cancelling of the tender process and subsequent issue of work order (dated 1.11.2022 in relation to NIT No. 01/2022-23 dated 28.07.2022, of Bihar State Food & Civil Supplies Corporation Ltd, Kishanganj for selection and empanelment of Transportation cum Handling Contractor, to Respondents no. 12 and 13, in an arbitrary, corrupt and illegal fashion, and to direct the initiation of fresh process in relation to the aforesaid tender advertisement being NIT No. 01/ 2022-23 dated 28.07.2022. Further, to direct the initiation of an enquiry into the ways by which the bids of Respondents No. 12 and 13 were selected, and work orders issued, arbitrarily and illegally, which is manifest."

3. On 28.07.2022 official respondents proceeded to issue NIT for the purpose of Transportation cum Handling Contractor. Petitioner and Respondent Nos. 12 and 13 were bidders to the NIT dated 28.07.2022. Petitioner's technical bid was rejected on 10.09.2022. There is no challenge to such rejection. In the absence of challenging such rejection of technical bid, petitioner is not permitted to challenge work order issued in favour of Respondent Nos. 12 and 13.

4. Learned counsel for petitioner submitted that petitioner had approached the Managing Director insofar as questioning the process of tender and it is pending consideration. To that effect, there is no relief sought in the present petition seeking direction to the Managing Director to



decide the petitioner's grievance with reference to his application/ representation.

5. In view of these facts and circumstances, petitioner has not made out a case.

6. Accordingly, the present petition stands dismissed, reserving liberty to the petitioner to approach the Managing Director. In the event of non-redressing the petitioner's grievance, he is permitted to file fresh writ petition.

(P. B. Bajanthri, J)

(Jitendra Kumar, J)

rakhi/-

AFR/NAFR	
CAV DATE	N.A.
Uploading Date	21.08.2023
Transmission Date	N.A.

