

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7472 of 2020

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Chandra Shekhar Prasad Gupta @ Chandrashekhar, Son of Sri Tarkeshwar Prasad Gupta, Resident of Village- Bhutaha-6, P.O.- Ram Nagar, District- Sunsari (Nepal), at present residing at Ward No. 6, Main Road, Birpur, District- Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Department of Urban Development, Government of Bihar, Patna.
2. The Principal Secretary, Department of Urban Development, Government of Bihar, Patna.
3. The Managing Director Bihar Urban Infrastructure Development Corporation (BUIDCO), Bihar, Patna.
4. The District Magistrate - cum- District Officer, Supaul.
5. The Executive Officer Nagar Panchayat, Birpur, District- Supaul.
6. The Chief Engineer, BUIDCO, Bihar, Patna.
7. The Superintending Engineer, BUIDCO, Bihar, Patna.
8. The Executive Engineer, BUIDCO, Supaul.
9. Vishal Enterprises Kankarbagh, Patna.
10. Varenaya Kiran Energy Pvt. Ltd., Kankarbagh, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Amrit Abhijat, Advocate Mr. Manoj Kr. Gupta, Advocate
For the State	:	Mr. Kinkar Kumar. SC 9 Ms. Deepika Sharma, AC to SC 9
For the Municipal corporation		Mr. Abhay Shankar Singh, Advocate
For the BUIDCO	:	Mr. Ravindra Kr. Priyadarshi, Advocate

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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)

12 18-04-2023 In the instant petition, petitioner has prayed for the following relief(s):-

“A) To issue a writ in the nature of certiorari, setting aside/quashing the letter No.64 dated 18.3.20 (Annexure-7) issued by Executive Engineer, BUIDCO, Supaul addressed to Executive Officer, Nagar Panchaya Birpur; wherein the technical bid of petitioner against work no.1, 11 and 12 of tender invitation information no. 06/19-20 issued by the Executive Officer, Nag Panchayat, Birpur has been rejected vide letter no. 64 dated 18.03.2022 (A-7) issued by Executive Engineer BUIDCO, Supaul on the ground that petitioner has failed to submit (Advocate Welfare Stamp of Rs. 25) as provided under Bihar Advocate Welfare (Amendment) Act, 2019 instead he has submitted stamp of Rs. 15/-only.

B) To issue a writ in nature of Mandamus commanding and directing the Respondents to open financial bid of petitioner also and if found most suitable then award the work no.1, 11 and 12 of tender invitation information no. 06/19-20 in favour of petitioner.

C) And/or any other relief or reliefs for which the petitioners are found entitled to in the facts and circumstances of this case.”

2. The petitioner's technical bid was rejected on 18.03.2020 on the ground that affidavit was not affixed with Rs. 25/- value of Advocate Welfar Stamp. On the other hand, it was affixed with value of Rs. 15/-. Such affidavit was filed on 21.07.2019 whereas the Advocate Welfare Act was amended enhancing stamp value from Rs. 15/- to Rs. 25/- on 25.02.2019.

3. In the light of these facts and circumstances, no infirmity is forthcoming insofar as rejection of technical bid of



the petitioner hence, no interference is called for insofar as rejection of technical bid of the petitioner.

4. Accordingly, writ petition stands dismissed.

(P. B. Bajanthri, J)

(Arun Kumar Jha, J)

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DKS/-

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