

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12327 of 2021

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Manager Singh Construction Pvt. Ltd. Village- Jalalpur, P.O. Bela, P.S. Dariyapur, District- Saran at Chapra through its Managing Director namely Manager Singh (male), aged about- 60 years, Son of Late Mathura Singh, resident of Village- Jalalpur, P.O. Bela, P.S. Dariyapur, District- Saran at Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Water Resources Department, Government of Bihar, Patna.
3. The Director, Purchase, Store and Material, Management Directorate, Water Resources Department, Government of Bihar, Patna.
4. M/S North East Granulators, DAG- 40, IGC, AIIDC Chaygaon, Chatabari, Kamrup, Assam- 781124.
5. Vaibhav Polypack, A- 97, Tatyia Tope Nagar, Kanpur (Uttar Pradesh)- 208022.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	None
For the Respondent/s	:	Mr. Vinay Kriti Singh, GA-2
For Respondent nos. 4&5:		Mr. Anand Kumar Ojha, Advocate
		Mr. Ashok Kumar Karn, Advocate

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

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

8 21-06-2023 The matter called twice, none appears for the petitioner.

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

“(I) For issuance of an appropriate writ in the nature of MANDAMUS commanding and directing the official Respondents to place on record the



decision of Technical Bid Committee and Financial Bid Committee of the Respondent Department in which the Respondent nos. 4 and 5 were considered and awarded the supply of new empty cement bags pursuant to the Very Short Re-Notice Inviting Quotation No. 2/2021-22 and on production the same may be quashed by issuance of an appropriate writ in the nature of CERTIORARI on the ground that even when the Respondent nos. 4 and 5 had not submitted the requisite documents issued by the competent authority regarding their character certificate, they were technically found fit by the Technical Bid Committee in most arbitrary manner and based upon the decision of Technical Bid Committee, their financial bid was opened and they were awarded the contract for supply by the Financial Bid Committee.

(II) For issuance of an appropriate writ in the nature of MANDAMUS commanding and directing the official Respondents to produce on record the supply order issued by the Respondent no.3 in favour of Respondent nos. 4 and 5 for supply of new cement bags and on production the same may be quashed by issuance of an appropriate writ in the nature of CERTIORARI on the ground that the technical bid submitted by the Respondent nos. 4 and 5 were defective and it should not have been accepted by the Technical Bid Committee.

(III) For issuance of any other appropriate writ/writs, order/orders, direction/directions for which the writ petitioner shall be found entitled under the facts and circumstances of the case.”



There is no interim order in the present matter.

Learned counsel for the respondents, on instruction, submitted that the subject matter of NIT dated 12.05.2021 is stated to have been processed and work has been executed by the respondent nos. 4 and 5, even payments have been made to them in the year 2021 itself.

In the light of these facts and circumstances, the present petition do not survive for consideration.

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

(P. B. Bajanthri, J)

(Jitendra Kumar, J)

Amrendra/Ashish

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