

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7195 of 2023

M/s. Nyasha Enterprises having its Registered Office at Rikabganj, Tekari, P.S.- Tekari, District- Gaya, through its Proprietor, Harendra Kumar, Aged about 43 years, Male, Son of Lalan Singh, resident of Rikabganj, Tekari, P.S.- Tekari, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Minor Irrigation Department, Government of Bihar, Patna.
2. The Engineer in Chief, Minor Irrigation Department, Government of Bihar, Patna.
3. The Chief Engineer, Minor Irrigation Department, Government of Bihar, Patna.
4. The Incharge Chief Engineer (Planning, Monitoring and Geology), Minor Irrigation Department, Government of Bihar, Patna.
5. The Superintending Engineer, (Planning, Monitoring and Geology), Minor Irrigation Department, Government of Bihar, Patna.
6. The Executive Engineer, Minor Irrigation Division, Patna, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Prabhat Ranjan, Advocate
		Mr. Chandan Kumar, Advocate
For the Respondent/s	:	Mr. Md. Nadim Seraj (GP-5)

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL ORDER

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

2 15-05-2023 In the instant petition, petitioner has prayed for the following relief(s):-

“1(i) Quashing of the Notice to Show Cause dated 20.04.2023 contained in Letter No. 332 issued by the Incharge Chief Engineer (Planning, Monitoring and Geology), Minor Irrigation Department, Government of Bihar, Patna, whereby on the allegation of submitting forged. records of Dozer Machine in connection with Tender process arising out of NIT No. 14/2021 22



(Group No. 05) relating to the "Renovation of Jujharpur Pyne Scheme", the petitioner has been asked to Show Cause within a fortnight as to why the Registration may not be put under blacklist in terms of Bihar Contractors Registration Rules, 2007;

(ii) Direction upon the Respondents to stay the operation of the impugned Notice to Show Cause dated 20.04.2023 contained in Letter No. 332 (Annexure 5) during the pendency of the present writ application; and

(iii) A declaration to the effect that the mere issuance of the Notice to Show Cause dated 20.04.2023 contained in Letter No. 332 (Annexure 5) can not be a ground to disqualified and hold the Technical Bid of the petitioner as non responsive."

2. Learned counsel for the petitioner submitted that identical matter was disposed of on 20.04.2023 passed in C.W.J.C. No. 4726 of 2023.

3. Learned counsel for the State respondent has not disputed. In the light of the aforementioned submission, show cause dated 20.04.2023 stands set aside and the present petition stands allowed in terms of the order dated 20.04.2023 passed in C.W.J.C. 4726 of 2023.

(P. B. Bajanthri, J)

(A. Abhishek Reddy , J)

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