

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7754 of 2023

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Sunil Singh son of Ram Nandan Singh, Resident of Barbigha, P.S.-Barbigha,
District-Shekhapura.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Food and Consumer Protection Department, Government of Bihar, Patna.
2. The District Magistrate, Nawada.
3. The Additional District Magistrate cum Member District Transfer Committee, Nawada.
4. The Deputy Development Commissioner cum Dy Chairman of the District Transport Committee, Nawada.
5. The District Transport Officer Member of District Transport Committee, Nawada.
6. The Managing Director Bihar State Food and Civil Supplies Corporation Ltd., Bihar, Patna.
7. The District Manager, Bihar State Food and Civil Supplies Corporation Ltd., Nawada cum Member Secretary, District Transport Committee, Nawada.
8. Mr. Navdeep Raj address not known therefore through District Manager, Bihar State Food and Civil Supplies Corporation Ltd., Nawada.
9. Mr. Dayanand Singh, address not known therefore through District Manager, Bihar State Food and Civil Supplies Corporation Ltd., Nawada.
10. Mr. Priyansh Kumar, address not known therefore through District Manager, Bihar State Food and Civil Supplies Corporation Ltd., Nawada.
11. The Inspector General, Vigilance Investigation Bureau, Bihar, Patna.
12. The Superintendent of Police, Vigilance Investigation Bureau, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Shashi Bhushan Kumar
For the Respondent/s	:	Mr. Arvind Ujjwal (SC 4)
For BSFC	:	Mr. Shailendra Kumar, Advocate

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

Date : 17-07-2023

In the instant petition, the petitioner has prayed for



the following relief:-

“i) For issuance of writ of mandamus commanding upon the respondent to make necessary enquiry in approval the technical bid of the private respondents no. 8 to 10 as their application for tender are not in terms of the NIT (Notice Inviting Tender) rather against the NIT.

(ii) For issuance of appropriate writ for cancellation of the technical bid of the private respondent no. 8 to 10 on the ground that defective papers along with the application form (Tender Application) and their tender in the technical bid have erroneously accepted by the respondent authorities (District Transport Selection Committee).

(iii) For issuance of writ of mandamus commanding upon the respondents to take necessary action including Departmental proceeding upon the officials who have erroneously accepted the technical bid of the private respondent no. 8, 9, 10 only for personal interest.

(iv) For issuance of writ of mandamus commanding upon the respondents particular Vigilance Investigation Bureau to take necessary action upon the officials who have erroneously accepted the technical bid of the private respondent no. 8, 9, 10 only for personal interest.

(v) For the other reliefs for which petitioner is found entitle in the facts & circumstances of the case.”

2. Learned counsel for the respondent- Bihar State Food and Civil Supplies Corporation Ltd., on instruction, submitted that the respondent no.8 and one more person have been awarded contract. The third party has not been arrayed as necessary and proper party and unnecessarily respondent nos. 9 and 10 have been arrayed as party. It is further submitted that



the petitioner has remedy of appeal before the appropriate forum.

3. These issues have not been disputed by the learned counsel for the petitioner.

4. Therefore, the present petition stands disposed of as it is premature.

5. Accordingly, the present writ petition stands disposed of reserving liberty to the petitioner to invoke appropriate remedy before appropriate forum in respect of award of contract to one Mr Nawadeep Raj and Chandramohan Mishra.

6. In the event of filing any statutory appeal before the appellate authority, the appellate authority is hereby directed to decide the petitioner’s appeal within a reasonable period of time. If any delay in filing Appeal, in that event Section 14 of Limitation Act, 1963 may be taken note of.

(P. B. Bajanthri, J)

(Jitendra Kumar, J)

Amrendra/ashish
kr/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	20.07.2023
Transmission Date	

