

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20449 of 2018

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Sushma Devi W/o Pankaj Kumar Sharma, Resident of Village and P.O.-
Kahua, P.S.- Sangrampur, District- Munger.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Department of Mines and Geology, Bihar, Patna.
2. The Principal Secretary, Department of Mines and Geology, Bihar, Patna.
3. The Under Secretary, Department of Mines and Geology, Bihar, Patna.
4. The District Magistrate, Munger.
5. The Mines Development Officer, Department of Mines and Geology, Munger.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Asit Kr. Jha, Advocate
For the State	:	Mr. Sanghmitra Ghosh, AC to GA-7
For the Mining	:	Mr. Naresh Dixit, Advocate
		Ms. Kalpana

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

Date : 25-04-2023

Heard learned counsels for parties.

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

"1. That this application is being
filed for issuance of an appropriate writ(s)/
order(s)/ direction(s), commanding the
Respondent Authorities for the following
reliefs:-

I. For quashing the advertisement
dated 20.9.2018 issued vide memo no- 3766
M Patna, under the signature of the
Respondent No-3, the Under-Secretary,



Department of Mines & Geology, Bihar, Patna, as contained in Annexure- by which fresh tenders have been invited by eligible applicants for settlement of Sand Ghats in different districts of Bihar particularly in Munger District.

II. For commanding the Respondents to continue the settlement of Kahua Balu Ghat' under Munger District in favour of the Petitioner which has been duly settled till 31.12.2019 by virtue of tender notice dated 1.12.2017 against which the work order has also been issued on 19.03.2018.

III. For commanding the Respondents to not to give effect to impugned advertisement dated 20.9.2018 issued vide memo no.- 3766 M Patna, under the signature of the Respondent No-3, the Under-Secretary, Department of Mines & Geology, Bihar, Patna, as contained in Annexure-3 during the pendency of the instant writ application and to allow the petitioner to continue with the work under settlement order vide Memo No. 184/M Munger dated 19.03.2018.

IV. For issuance of such other appropriate order or direction which may deem fit and proper in the facts and circumstances of the present case."

3. Pursuant to the Tender Notice dated 01.12.2017, work order was issued on 19.03.2018 and it was in vogue till 31.12.2019. Before 31.12.2019, Respondent No. 3 proceeded to re-advertise the subject-matter of Sand Ghat. In the absence of interim order, the second advertisement dated 20.09.2018 has been given effect. Therefore, right of the petitioner does not subsist. Accordingly, writ petition stands disposed of as it has



become infructuous.

(P. B. Bajanthri, J)

(Arun Kumar Jha, J)

rakhi/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	02.05.2023
Transmission Date	N.A.

