

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15088 of 2018

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Sabir Husain Son of Late Abdul Sattar, Resident of Village-Mahui, P.S.-Ram Nagar, District-west Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Rural Works Department, Government of Bihar, Patna.
2. The Principal Secretary, Rural Works Department, Government of Bihar, Patna.
3. The Executive Engineer, Rural Works Department, Works Division, Bagaha-2, West Champaran, Government of Bihar.
4. The Superintending Engineer, Rural Works Department, Works Division, Bagaha-2, West Champaran, Government of Bihar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prabhu Nath Pathak, Advocate
For the Respondent/s : Mr. Smt.Archana Meenakshee -GP-6

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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 : 23-03-2023

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

"1. That by this application, the Petitioner is invoking the writ jurisdiction of this Hon'ble Court in the nature of writ of mandamus for directing the respondents authorities to decide the tender in which financial bid was opened and the petitioner qualified the financial bid on 21.10.2016 against tender work bearing Tender no. RD-2016 ECBIH-43690-1 for construction and maintenance of remaining work of Malahi Tola to Bhubhgarhwa Path, Block Bagaha-2 in the District of West Champaran forthwith,



but the same was kept pending due to interim order passed in CWJC No. 18886 of 2016 (M/s. Kumar Kant Construction Vs. The State of Bihar and others) on 09.02.2017, which was dismissed as withdrawn on 19.07.2018, vide order dated 19.07.2018, passed in CWJC No. 18886 of 2016 by Hon'ble Mrs. Justice Nilu Agrawal as contained in Annexure-4."

Perusal of the records it is evident that even though financial bid has attained finality in favour of petitioner on 21.10.2016, certain serious lapses were stated to have been noticed in so far as finalization of technical bid is concerned. Therefore, the concerned authorities have taken a decision after holding due enquiry. Such re-tender was notified on 26.09.2018.

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

(P. B. Bajanthri, J)

(Arun Kumar Jha, J)

rakhi/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	25.03.2023
Transmission Date	N.A.

