

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7334 of 2015

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Ujjwal Kumar Son of Sri Indrajeet Prasad Yadav Resident of village-
Dhaniamarni, P.S.- Jaypur, District- Banka.

... .. Petitioner/s

Versus

1. The State Of Bihar through Secretary, Rural Works Department,
Government of Bihar, Patna
2. The Secretary, Rural Works Department -cum-Chief Executive Officer,
Bihar Rural Road Development
3. Additional Chief Executive Officer-cum-Secretary, Bihar Rural Road
Development Agency, Patna.
4. Engineer-in-chief-cum-Additional Commissioner-cum-Special Secretary,
Rural Works Department -cum-C
5. Chief Engineer-III, Rural Works Department, Bihar, Patna.
6. Superintending Engineer Rural Works Department, Works Circle, Patna.
7. Technical Adviser, Rural Works Department, Works Circle, Chhapra.
8. Executive Engineer, Rural Works Department, Works Division, Sonapur.
9. Executive Engineer, Rural Works Department, Works Division, Madhepura.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Durga Nand Jha, Advocate
For the State	:	Mr. Sita Ram Yadav, GP 16
		Mr. Rakesh Kumar Srivastava, AC to GP 16
		Mr. Jitendra Kumar, AC to GP 16

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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 : 12-05-2023

Heard learned counsels for the parties.

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

“(i) For issuance of a writ in the nature of
certiorari for quashing the proceeding dated



20.02.2015 held in Technical Bid Committee whereby and where under the tender of petitioner has been rejected showing the reason that the petitioner was registered under general category, admittedly against the own record of Respondents.

(ii) Issuance of a consequential writ in the nature of Mandamus directing and commanding the Respondents to accept the tenders of petitioner which were submitted by the petitioner in the capacity of un-employed Engineer on 08.01.2015 and petitioner had submitted 4.26% below 0.00% for serial no. 119 and thereby to issue works order to petitioner.

(iii) Issuance of an appropriate declaration that once the petitioner had submitted his application on 21.12.2014 with const of registration on line for his registration as un-employed Engineer and it was registered on 02.01.2015 as contractor Class-3 and as un-employed Engineer, there was no justification to reject the tender of the petitioner on the ground that this registration was under general category, against the evidence available with the Respondents.

(iv) Issuance of an appropriate declaration that once the petitioner had submitted his tender against serial no. 119 as 4.26 % below the zero percent, there was no occasion for the Respondents to accept the tender at the rate of zero percent causing loss of 4.26% to Government and thus the whole proceeding dated 20.02.2015 is bad in law a also on facts as well as against the evidence on record and thus the proceeding is fit to be quashed/set aside.

(v) Any other relief or reliefs be granted to petitioner to which his is found to be entitled to in accordance with law.”

3. Perusal of the records, it is evident that there is no interim order. Having regard to reliefs sought by the petitioner and



in the absence of any interim order read with the fact that matter is of the year 2015, the present writ petition has become infructuous.

4. Accordingly, writ petition stands dismissed as infructuous.

(P. B. Bajanthri, J)

(Arun Kumar Jha, J)

GAURAV S./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	15.05.2023
Transmission Date	NA

