

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13416 of 2023

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Himanshu Deb, Son of Haripada Deb, Executive of Frankson Automation Company Private Limited, Chinara Park Rajarhat (Opposite Teghoria Loknath Mandir), K.B. Plaza, Ground Floor, Kolkata-700157. Resident of 20/2/1 Sarsuna Main Road, Sarsuna, Sarsuna, South-24 Parganas West Bengal-700061.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Secretary, Building Construction Department, Government of Bihar, Patna.
3. The Managing Director, Bihar State Building Construction Corporation Limited, Bihar, Patna.
4. The General Manager (South), Bihar State Building Construction Corporation Limited, Patna.
5. The Deputy General Manager (Patna), Project Execution Unit, Bihar State Building Construction Corporation, Limited, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Shiv Shankar Prasad Singh, Advocate
	:	Mr. Pushpendra Priyadarshi, Advocate
For the Respondent/s No. 5	:	Mr. Ray Bahadur Singh, Sr. Advocate
	:	Mr. Briskish Dharam Pandey, Advocate

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

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

4 07-10-2023 Heard learned counsel for the respective parties.

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

"(i) for issuance of an appropriate writ/order or direction to the respondent to make payment of admitted due of Rs. 8,43,009/- (Eight Lakh Forty Three Thousand Nine Only) to Frankson Automation



Company Pvt. Ltd. Kolkata for the work which has been done by the above mentioned company on the written tender agreement dated 14.03.2020 vide Agreement No. 14F2/2019-20 made between Bihar State Building Construction Corporation Limited, Patna (in short B.S.B.C. Corp. Ltd.) and Frankson Automation Company Private Limited Kolkata which has not been paid by Bihar Building Construction Corporation Limited Patna;

(ii) It is further prayed for issuance of an appropriate writ/order/direction to set aside the order dated 11.01.2021 vide letter no. 29 given by Deputy General Manager, Bihar State Building Construction Corporation Limited (P.I.U.) Patna by which it is directed by Deputy General Manager to Debar Frankson Automation Company Pvt. Ltd. Participation in Tender."

3. During pendency of the present proceeding, on 30.09.2023 grievance of the petitioner has been redressed in recalling petitioner's name from the debarment list as is evident from the counter affidavit.

4. Accordingly, the present petition stands disposed of as infructuous. In respect of any reliefs prayed for on behalf of the petitioner, he is at liberty to file representation before the competent authority. If such representation is submitted before the competent authority, the competent is hereby directed to redress the grievance of the petitioner within a period of three



months from the date of such representation. If the petitioner is not entitled in that event speaking order shall be passed and communicated to the petitioner.

(P. B. Bajanthri, J)

(Arun Kumar Jha, J)

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