

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13001 of 2023

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Shyam Kishore Yadav Son of Late Nageshwar Prasad Yadav, Resident of
Village- Maruki, P.O.- Kumma, P.S.- Sursand, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Road Construction Department, Bihar, Patna.
2. The Chief Engineer North, Road Construction Department, Bihar, Patna.
3. The Superintendent Engineer, Road Construction Department, Road Circle, Darbhanga.
4. The Executive Engineer, Road Construction Department, Road Division, Darbhanga.
5. The Executive Engineer, Road Construction Department, Road Division, Benipur, Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Amarjeet Choudhary, Advocate
For the Respondent/s : Mr. Kinkar Kumar, GA 9

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA

ORAL ORDER

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

4 07-11-2023 In the instant writ petition, petitioner has prayed for

the following relief/reliefs:

*“That this is an application on behalf of
petitioner for issuance of a writ of Mandamus
directing the respondents to pay the security deposit
as well as the Bank Guarantee deposited by the
petitioner in the Division pertaining to Agreement
No. 13 CMBD of 2017-18 for Construction and
Maintenance of Biroul – Singhia – via – Pipra Road*



(Singhia – Hirni Road) From 10.0-13.10 Km and further for quashing of the Ex parte Office order bearing letter no. 300 dated 11.03.2019 (P-6) and memo no. 1149 dated 01.10.2019 (P-9) passed by respondent no. 5, by which the agreement has been rescinded and petitioner has been Debarred from participating in further Tenders and for quashing/setting aside the order bearing letter no. 3299 dated 12.12.2019 passed by respondent no. 2, the Appellate Authority, by which the appeal/representation filed by petitioner against the impugned orders passed by respondent no. 5, has been rejected by non-speaking and cryptic order and further for issuance of any other Writ/Writs, order/orders, direction/directions which the Hon'ble Court may deem fit and proper.”

2. The present writ petition is not maintainable in view of the fact that petitioner had already suffered an order before this Court in CWJC No. 400 of 2023 dated 09.02.2023.

3. Accordingly, the present writ petition stands disposed of as not maintainable. Disposal of the present writ petition would not be a hurdle for the petitioner to invoke appropriate remedy in the light of the order dated 09.02.2023 passed in CWJC No. 400 of 2023.

4. Learned counsel for the petitioner submitted that



Tribunal has not entertained the petitioner’s grievance. In that event, he has other remedies and it could be invoked appropriately.

(P. B. Bajanthri, J)

(Ramesh Chand Malviya, J)

GAURAV S./-

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