

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15571 of 2022

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M/S Jha P and Company represented through its proprietor Premchand Shyam Kumar Jha, Son of Late Shyam Kumar Jha, aged about 39 years, Male resident of Khemani Road, Azad Nagar Ulhasannagar-2, Opp. Golden textile Ulhasnagar-2, Thane Maharastra- 421002.

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary Rural Works Department, Patna.
2. The Chief Engineer I, Rural Works Department, Muzaffarpur (East-2).
3. The Superintending Engineer, RWD, Muzaffarpur.
4. The Executive Engineer, Rural Works Division, At and PO- Bhushar, District- Muzaffarpur.
5. M/S R S Constructions at Swami Sahzanand Colony Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Shashank Shekhar, Advocate
For the Respondent/s	:	Mr. Kameshwar Prasad Gupta (GP 10)
		Mr. Virendra Kaur, AC to GP 10

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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)

5 11-04-2023 In the instant petition, petitioner has prayed for the following relief(s):-

“(i) To issue a writ of mandamus or any other appropriate writ/order/direction for quashing the order of the tender evaluation committee dated 20.09.2022 whereby and where under the tender bid of the petitioner has been illegally and arbitrarily excluded in the technical evaluation.

(ii) To command the respondents by appropriate order/direction for including the technical bid in the list of valid technical bids as the petitioner has complied all terms and conditions of the SBD so that



the rate bid of the petitioner may opened and taken into consideration.

(iii) To pass an order or realization of excess expenditure over the rate of the petitioner from the pocket of the authorities who are/have been responsible for processing the technical bid in order to accept the higher rate tender.

(iv) To grant any other relief for which the petitioner is entitled to under the facts of the case.”

Learned counsel for the State on instruction submitted that subject matter of litigation has already spent its force. Therefore, the present petition does not survive for consideration. Such statement is taken on record.

Accordingly, the writ petition stands dismissed as withdrawn.

(P. B. Bajanthri, J)

(Arun Kumar Jha, J)

Balmukund/
DKS/-

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