

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14311 of 2016

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M/s R. K. Electricals And Engineering 47 Road No. 5 Gandhi Murti, Patel Nagar, Patna- 23 through its Partner:- Rajeshwar Kumar, Son of Late Khus Nandan Singh Resident of East Patel Nagar, Road No. 2 Ganga Prabha Apartment, Flat No. 104, P.O. and P.S. - Shastri Nagar, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Department of Health and Family Welfare, Govt, of Bihar, Patna.
2. The Superintendent, Patna Medical College and Hospital, Ashok Rajpath, Patna.
3. M/s Banprastha Infra Pvt. Ltd. Flat No. - 204, Gangotri Arcade, L.C.T. Ghat, Patna - 800009, through its Managing, Director.
4. The Bihar State pollution Control Board, through its Secretary, Beltron Bhawan, Shastri Nagar, Patna- 23

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	None
For the Respondent/s	:	Mr. Shivendra Kishore, Sr. Advocate
	:	Mr. Kamlesh Kishore AC to SC-12
	:	Mr. Parijat Saurav, Advocate

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

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

9 27-06-2023 None appears for the petitioner.

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

"(i) Issuance of a writ in the nature of mandamus or any other appropriate writ/ order or direction to the respondent to accept the tender of petitioner and allot the work in favour of petitioner, for providing Diesel Generator service in the premises



of Patna Medical College and Hospital as the petitioner being the lowest bidder and experienced in the said work is the only eligible bidder, for allotment of the contract work.

(ii) Issuance of a writ in the nature of certiorari or any other appropriate writ/order or direction to quash the work order issued in favour of respondent No.3, pursuant to tender PR- 352/2016-17 from the office of Superintendent, Patna Medical College and Hospital, contained in Memo No.- 10478 dated 02.08.2016 (Annexure-7) allotting the contract work to the respondent No. 3.

(iii) To say the operation of work order dated 02.08.2016, issued in favour of Respondent No.3 during the pendency of this writ petition.

(iv) Any other relief/reliefs to which the petitioners are found entitled."

3. Perusal of the records, it is evident that there is no interim order. In the absence of interim order, the subject matter of contract is stated to have been executed during the pendency of the present petition. Therefore, the present petition does not survive for consideration. Accordingly, the present petition stands disposed off as it has become infructuous. Pending interlocutory applications, if any, stands disposed off.

4. Mr. Kamlesh Kishore, AC to SC 12, learned counsel for the State-respondent is hereby directed to receive



the original Lower Court records by the Court Master, Mr. Chandrashekhar and sign in the margin of the order sheet after receipt of the same.

(P. B. Bajanthri, J)

(Jitendra Kumar, J)

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