

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17758 of 2022

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M/s K.S. Construction and Company through its partner Smt. Sulekha Kumari, aged about 54 Years, (Female), wife of Sri Kumar Saroj, Resident of Village and P.O.- Barakhurd, P.S.- Noorsarai, District- Nalanda, At Present, Resides at Mohalla- Quamruddinganj, At and P.O.- Biharsharif, P.S.- Laheri, District- Nalanda, State- Bihar, Pin- 803101.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Rural Works Department, Vishweshwaraiya Bhawan, Bailey Road, Patna- 15.
2. The Secretary, Rural Works Department, Vishweshwaraiya Bhawan, Bailey Road, Patna- 15.
3. The Engineer-in-Chief, Rural Works Department, Vishweshwaraiya Bhawan, Bailey Road, Patna- 15.
4. The Chief Engineer-1, Rural Works Department, Vishweshwaraiya Bhawan, Bailey Road, Patna- 15.
5. The Superintending Engineer, Rural Works Department, Works Circle, Nalanda at Biharsharif.
6. The Executive Engineer, Rural Works Department, Works Division, Harnaut (Nalanda).

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Manish Sahay, Advocate
For the Respondent/s : Mr. Satya Vrat, AC to GP-10

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 30-01-2023 Petitioner has prayed for the following relief(s):-

“(I) For quashing of debarment order so far as petitioner is concerned, issued vide letter No. 7647 (Anu.) dated 28.06.2017 under signature of the Engineer-in-Chief, (i.e. Respondent No. 03), as contained in Annexure-P-2 series), by which the petitioner and others have been declared defaulter and debarred from participating their bids in future



tender. Name of petitioner figures at Serial No. 447 & 448 of said debar list dated 28-06-2017 as enclosed along with said letter.

(ii) For declaring that the actions of the respondents are arbitrariness, malafide, malicious, colourable exercise of power as well as contrary to provisions of agreement.

(III) For further passing such an order or orders for which the petitioner is entitled under the law in the facts and circumstances of this case.”

Mr. Satya Vrat, learned A.C. to G.P.-10, states that vide order dated 11.01.2023, passed by the Engineer-in-chief, Rural Works Department, petitioner's grievance stands redressed.

Order taken on record.

In view the aforesaid, present petition stands disposed of having become infructuous.

Interlocutory application, if any, shall also stand disposed of.

(Sanjay Karol, CJ)

(Partha Sarthy, J)

Sujit/Ashwini

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