

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17645 of 2022

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M/s R.S. Constructions A partnership firm having its registered office at Swami Sahajanand Colony, Bhagwanpur, P.s. Sadar, District Muzaffarpur, through its registered partner, Sanjay Kumar Sharma, male, aged about 44 years, S/o Shri Sukhdeo Sharma, R/o Swami Sahajanand Colony, Bhagwanpur, P.S. Sadar, District Muzaffarpur.

... .. Petitioner/s

Versus

1. State of Bihar through Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Rural Works Department, Government of Bihar, Patna.
3. The Engineer in Chief, Rural Works Department, Government of Bihar, Patna.
4. Chief Engineer, Rural Works Department, Works Department, Sitamarhi.
5. Superintending Engineer, Rural Works Department, Works Division, Sitamarhi.
6. Executive Engineer, Rural Works Department, Works Division, Belsand, Sitamarhi.
7. Divisional Accounts Officer, Rural Works Department, Works Division, Belsand, Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	None
For the Respondent/s	:	Mr. Kameshwar Pd. Gupta (GP10) Mrs. Deepanjali Gupta, 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)

4 24-04-2023 None appears for the petitioner.

2. In the instant petition, petitioner has prayed for the
following relief(s):-



“(i) For issuance of writ(s), order(s) or direction(s) particularly in the nature of mandamus or a writ of mandamus or any other writ of the like nature thereby directing the respondent authorities to complete and clear the action taken report against the petitioner with respect to maintenance of Road from Janar to Ramnajar which was completed by the petitioner in furtherance of Tender Reference No. BR33R282 vide Agreement No. 19 SBD/2018-19 which was completed by the petitioner on 30/08/2019.

(ii) For issuance of a writ in the nature of mandamus or a writ of mandamus or any writ of the like nature thereby directing the respondent authorities to consider the bids of the petitioner ignoring the fact that the action taken report is pending for an earlier work beyond the control of the petitioner.

(iii) For issuance of the writ in the nature of mandamus or a writ of mandamus thereby directing the respondent authorities to consider the bids of the petitioner during the pendency of the present writ petition irrespective of the fact that an action taken report impugned herein is pending with respect to a previous work of the petitioner.

(iv) For issuance of any other writ(s), order(s), or direction(s) for which the petitioner is entitled for.”

3. Para 7 of the counter affidavit reads as under:-

“7. That at the outset it is very humbly submitted that in the meeting held on 10.08.2022 under Chairmanship of the Chief Engineer-4, Rural Works Department, Bihar decision has already been taken to Re-grade in satisfactory Grade ATR of second stage of the roads as shown in the list issued under letter no. 355 dated



17.08.2022.”

4. In the light of this development, the present petition
does not survive for consideration.

5. Accordingly, the writ petition stands disposed of.

(P. B. Bajanthri, J)

(Arun Kumar Jha, J)

DKS/
Balmukund/-

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