

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17542 of 2022

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Nishant Kumar Son of Birendra Kumar Resident of Pachmahla, Via-
Barahiya, Jalalpur Nauranga, Patna, Bihar- 811302.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Rural Works Department, Visheswariya Bhawan, Bailey Road, Patna.
2. The Engineer-in-Chief, Rural Works Department, Govt. of Bihar, Visheswariya Bhawan, Bailey Road, Patna.
3. The Chief Engineer-4-cum- Nodal Officer, 3054, Rural Works Department, Visheswariya Bhawan, Bailey Road, Patna.
4. The Chief Engineer-2, Rural Works Department, Govt. of Bihar, Visheswaraiya Bhawan, Bailey Road, Patna.
5. The Superintending Engineer, Rural Works Department, Work Circle-Munger, Govt. of Bihar.
6. The Executive Engineer, Rural Works Department, Works Division-Lakhisarai, Govt. of Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Md. Jubair Ansari, Advocate
For the Respondent/s : Mr. Kumar Alok, SC7

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 30-01-2023

Petitioner has prayed for the following relief(s) :-

“(i) For quashing of the decision of the Technical Bid Evaluation Committee contained in Letter No. 2417 dated 15.11.2022 whereby, the Technical Bid of the petitioner has been declared non responsive and thus disqualified for the reason that the Bid documents are not in conformity with the requirements of Clause 4.7(ii) of the MBD.

(ii) For restraining the Respondents from



finalizing the Tender process during the pendency of the present writ application without the leave of this Hon'ble Court.”

After the matter was heard for some time, learned counsel for the petitioner seeks permission to withdraw the present petition reserving liberty to take recourse to such other remedies as are otherwise permissible and admissible in accordance with law as also represent to the appropriate authority i.e. Respondent No. 6, namely, The Executive Engineer, Rural Works Department, Works Division-Lakhisarai, Govt. of Bihar, venting out the grievances, subject-matter of the present petition.

Prayer allowed. Liberty, as prayed for, is granted.

Without expressing any opinion on merits, leaving all questions of fact and law open, the present petition is disposed of as withdrawn with the liberty aforesaid.

We expect that the appropriate authority shall consider and decide the petitioner's application/request expeditiously and preferably within a period of three months from the date of its presentation.

Needless to say that while considering such request, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties.



If aggrieved by the said order, the petitioner shall have liberty to approach this Court by way of separate petition(s), if so required and desired.

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

(Sanjay Karol, CJ)

(Partha Sarthy, J)

Prakash/Sujit

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

