

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.466 of 2023

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Bindeshwar Yadav Construction Pvt. Ltd. through its proprietor Rohit Kumar
Yadav, aged about 50 years (Male), S/o- Bindeshwar Prasad Yadav, R/o- Ward
No.6, Village- Hariraha, Rustampur, P.S.- Laukahi, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Rural Works Department,
Govt. of Bihar, Patna.
2. The Principal Secretary, Rural Works Department, Govt. of Bihar, Patna.
3. The Engineer-in-Chief Rural Works Department Govt. of Bihar, Patna.
4. The Chief Engineer 4-Cum Nodal Officer Rural Works Department Bihar,
Patna.
5. The Chief Engineer-3 Rural Works Department Bihar, Patna.
6. The Secretary to the Engineer-in-Chief (Technology) Rural Works
Department, Govt, of Bihar, Patna.
7. The Superintending Engineer Work Circle Rural Works Department
Darbhanga.
8. The Executive Engineer Rural Works Division Phulparas, Madhubani,



District- Madhubani.

9. Maa Construction (BID ID No. 518748) having its office at Village and
P.O.- Dhanaunja, P.S.- Phulparas, District- Madhubani.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Gautam Kejriwal, Advocate
Mr. Shashi Bhushan Singh, Advocate
Mr. Alok Kumar, Advocate
Mr. Mukund Kumar, Advocate
Mr. Aditya Raman, Advocate

For the State : Mr. Kumar Alok (SC7)

For the respondent no.9 : Mr. Ashish Giri, Advocate
Mr. Sumit Kumar Jha, Advocate
Ms. Riya Giri, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 05-03-2024

The petitioner is aggrieved with the decision of the
Technical Bid Committee, which qualified respondent no. 9.

2. Learned Counsel for the respondent no. 9 appears
and submits that there was a further technical bid conducted
and he was disqualified. In such circumstance, nothing
survives in the writ petition.

3. Learned Counsel for the petitioner, however, is
pressing for the second relief. The petitioner prays that



appropriate steps should be taken against respondent no. 9, in the light of the direction issued by respondent no. 3 and also against the concerned authorities responsible for ignoring the mandatory requirements for qualification by the Technical Bid Committee. In any circumstance, now since a review has been made, and respondent no. 9 is disqualified, it does lie in the mouth of the petitioner to make such submission before this Court. Whether any action be taken against the erring officials would be the decision of the authorities and cannot be precipitated by orders of this Court and not at all, at the behest of a competing bidder. The remedy under Article 226 of the Constitution of India is not a platform to settle scores between bidders or agitate the grouses against government officials.

4. The writ petition would stand dismissed.

(K. Vinod Chandran, CJ)

(Harish Kumar, J)

ranjan/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	07.03.2024
Transmission Date	NA

