

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9963 of 2024

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Sunil Kumar Son of Vyash Singh Resident of village Kripatola, P.O. and P.S. Fatuha, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
2. The Chief Engineer, Infrastructure and Transport (South Bihar), Urban Development and Housing Department, Government of Bihar, Patna.
3. The Superintending Engineer, Urban Development Circle 2, Urban Development and Housing Department, Patna.
4. The Bihar Urban Infrastructure Development Corporation Limited (BUIDCO), Head Office at Rajapur Pul, West Boring Canal Road, Patna through its Managing Director.
5. The Executive Engineer, Urban Development Division (Patna East), Bihar Urban Infrastructure Development Corporation Limited (BUIDCO), Transit Hostel, Near I. T. Golamber, Patna.
6. The Block Development Officer, Block - Fatuha, Distt. Patna.
7. Nagar Panchayat, Fatuha through its Executive Officer, Fatuha, District Patna.
8. The Executive Officer, Nagar Panchayat, Fatuha, District Patna.
9. Aditya Kumar son of Suresh Rai Resident of At Maujipur, P.S. - Fatuha, District - Patna.
10. Mahendra Kumar son of Garbhu Rai, Resident of At Kothar P.S. Fatuha, District - Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Akshansh Ankit, Advocate
For the Respondent/s	:	Mr. Abbas Haider, Standing Counsel 6
		Mr. Wasi Mohammad, Advocate
For the BUIDCO	:	Mr. Lalit Kishore, Sr. Advocate
		Mr. R. K. Priyadarshi, Advocate
		Mr. Ayush Kumar, Advocate
		Mr. Kanishka Shankar, Advocate

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



ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 03-07-2024 The petitioner is aggrieved with the disqualification in a tender which was by Annexure-P/8. The petitioner had applied for 4 items of work, as per Annexure-P/1, which is the Notice Inviting Tender (NIT). Clause 17 of the tender documents specifically indicated that any commitments of earlier works awarded should be disclosed. The petitioner was disqualified on the ground that a complaint was received that work allotted for construction of PCC roads and RCC drainage, as per NIT of 2021-22 at Gr. No.46 was allotted but not completed, and is still pending.

2. Learned counsel for the petitioner submitted, as per the averments in the writ petition, that the work itself was awarded only on 07.02.2024 and an agreement was also executed in the year 2024.

3. We have to specifically notice that Annexure-P/8 refers to one Smt. Sonamati Devi, Ward Councillor of Ward No.13, Nagar Parishad Fatuha, who had raised the issue before the respondent authorities. The said person has



not been impleaded herein nor is anything produced herein to substantiate that the work order was allotted on 07.02.2024. It is also not clear as to which work was allotted on 07.02.2024 and whether it related to NIT 08 of 2021-22, categorically referred to in Anneuxre-P/8. In the totality of the circumstances, we are not inclined to entertain the writ petition. The writ petition stands dismissed *in limine*.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

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