

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11351 of 2023

Md. Shafique Alam Son of Md. Fazlur Rahman Resident of Village-
Dhanpura, Ward No. 1, Kanhaiya Bari, P.S.- Kishanganj, District- Kishanganj.
... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Bihar State Bridge Construction Corporation Limited, Patna through its Managing Director of Bihar, Patna.
3. The Managing Director, Bihar State Bridge Construction Corporation Limited, Patna.
4. The Principal Secretary, Bihar State Bridge Construction Corporation Limited, Patna.
5. The Chief Engineer, Bihar State Bridge Construction Corporation Limited, Patna.
6. The Superintendent Engineer, Bihar State Bridge Construction Corporation Limited, Patna.
7. The Senior Project Engineer, Bihar State Bridge Construction Corporation Ltd. External Project Division no. 2, Kishanganj.
8. The Bihar State Electronics Development Corporation Ltd., Patna through its Managing Director.
9. The Managing Director, Bihar State Electronics Development Corporation Ltd. Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. P. K. Shahi, A.G./ Sr. Advocate Mr. Vikas Kumar, Advocate
For the Respondent/s	:	Mr. Ganesh Kumar, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

12 05-01-2024 Heard the parties.

2. We notice that the specific allegation in the writ petition was regarding Annexure-6 which was acknowledgment of a tender. We had specifically asked the Government to answer on the same and on a previous occasion, we have recorded the submission of Government Advocate that despite



frequent query made to the NIC, there was no reasonable response from the NIC.

3. Now, the supplementary counter affidavit has been filed by the Beltron specifically indicating that Annexure-6 is fraudulent document, we also noticed that on 03.01.2024 and passed the following order :-

“An interim order was granted in the above writ petition only on the submission made by the learned counsel based on Annexure-6 that he had received a digital acknowledgment of the tender uploaded by him. The State also had not responded to the genuineness of the document and had merely stated that the N.I.C. has not replied to the queries made.

2. A supplementary counter affidavit has been filed on 15.12.2023 by the Project Lead in the office of BELTRON (BSEDC Ltd.) clearly pointing out that the contention of uploading of the petitioner’s bid on 04.05.2023 is not tenable and that the document contained in Annexure-6 is manufactured by the petitioner using the technology of photocopy. The photocopy of the log furnished by the N.I.C. is also enclosed as Annexure-R/8-9/C.

3. Learned counsel for the petitioner on the last posting date had sought for time to reply to the supplementary counter affidavit. However, today when the matter was called out, there was no appearance on behalf of the petitioner.

4. In such circumstances, we place the above matter on Friday. However, we vacate the interim order of status quo dated 09.11.2023 passed in the above case.

5. Post this case on 05.01.2024.”

4. There is no rejoinder filed to the counter affidavit.



In such circumstances, we dismiss the writ petition as devoid of merit.

(K. Vinod Chandran, CJ)

sanjeev/-

(Rajiv Roy, J)

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