

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16897 of 2023

Vikrant Kumar Gupta S/o Shri Raghuveer Narayan Gupta, R/o Village-Naya Bazaar, Ward No. 12, Post-Siwan, Thana-Siwan, District-Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Siwan.
2. The District Magistrate, Siwan cum Chairman, District Transport Committee.
3. The Bihar State Food and Civil Supply Corporation Limited through its Managing Director, Government of Bihar.
4. The District Development Commissioner, Siwan cum Deputy Chairman, District Transport Committee, Siwan.
5. The Additional Collector cum Member, District Transport Committee, Siwan.
6. The District Manager cum Member Secretary, Bihar State Food and Civil Supply Corporation Limited, Siwan.
7. The District Transport Officer cum Member, District Transport Committee, Siwan.
8. Ajit Kumar Singh, S/o Sri Ram Narayan Singh R/o Vill-Ansar, Ward No. 4, P.O.-Ansar, P.S.-Siwan, Distt-Siwan.
9. Rajesh Mohan (Sai Traders), S/o Madan Mohan Rai, R/o Flat No. 402, Chandralok Apartment, Ward No. 34, Lohia Nagar, P.S. Kankarbagh, Distt. Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Ranjan Kumar Srivastava, Advocate
For the BSFC	:	Mr. Anjani Kumar, Sr. Advocate
		Mr. Shailendra Kumar Singh, Advocate
		Mr. Utkarsh Bhushan, Advocate
For the Respt. NO. 9	:	Mr. Javed Aslam, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 21-03-2024

The petitioner is before this Court alleging that the petitioner's bid was cancelled without looking into the title deed



produced. The specific contention of the petitioner was that he had produced a title deed in compliance with Condition No. 8(ii) along with the tender document.

2. We had on the last occasion directed the title deed of the property to be produced. By I.A.No. 1 of 2024, the title deed of the property is produced. It is categorically stated in the affidavit, in support of the document, that the property belongs to the father and mother of the petitioner. We specifically put a query to the petitioner's Counsel as to whether the father and mother are alive. It is admitted that they are both alive. We look at Clause 8(ii), which is extracted hereunder:

“8(ii) Certificate of personal immovable property worth not less than Rs.25(twenty five) lakhs issued by the competent authority not less than the rank of SDO/CO.”

(underlining by us for emphasis)

3. The above extract shows that it specifically refers to certificate of personal immovable property. The certificate of immovable property is required only since if any default is committed, on the work awarded, the contractor will have to be proceeded against. It is hence the specific indication that it should be the personal property. The property belongs to the father and mother and not to the petitioner.



4. In such circumstances, we have absolutely no reason to interfere with the rejection of the petitioner's tender. The writ petition stands dismissed.

5. Interlocutory application(s), if any, shall stand dismissed.

(K. Vinod Chandran, CJ)

(Harish Kumar, J)

Sujit/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	22.03.2024
Transmission Date	

