

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6473 of 2025

M/s Macmillan Developers Private Limited, A Company incorporated under the Indian Companies Act, Through its Authorized representative namely Shri Rahul Siddhartha, Having its Registered Office Situated at 501, Hari Tower, Buddha Colony, Police Station- Buddha Colony, District- Patna, Pin Code- 800001 (Bihar).

... .. Petitioner

Versus

1. The State of Bihar through Principal Secretary, Public Health Engineering Department, Government of Bihar, Patna (Bihar).
2. The Principal Secretary, Public Health Engineering Department, Government of Bihar, Patna (Bihar).
3. The Chief Engineer, Public Health Engineering Department, Government of Bihar, Kishanganj (Bihar).
4. The Executive Engineer, Public Health Engineering Department, Government of Bihar, Kishanganj (Bihar).

... .. Respondents

Appearance :

For the Petitioner/s : Mr. Saket Gupta, Advocate
For the Respondent/s : Mr. Government Pleader (7)

CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

6 01-09-2025 In the instant writ petition, petitioner has prayed
for the following relief(s):-

i) Issuance of a writ of certiorari to set aside the office order bearing Office Order No. 93/Kishanganj dated 31.12.2024 contained in Letter No. 2765 dated 31.12.2024 which is issued by Respondent No. 04 by which the Petitioner Company has been debarred from participating in the next tender to



be issued by Public Health Engineering Department, Bihar.

ii) Issuance of a writ of certiorari to set aside the office order bearing Office Order No. 94/Kishanganj dated 31.12.2024 contained in Letter No. 2766 dated 31.12.2024 which is issued by Respondent No. 04 by which the Petitioner Company has been debarred from participating in the next tender to be issued by Public Health Engineering Department, Bihar.

iii) During pendency of this writ application to stay the operation of the impugned orders contained in Letter No. 2765 dated 31.12.2024 and Letter No. 2766 dated 31.12.2024 issued by Respondent No. 04.

iv) To any other relief or reliefs for which the petitioner Company is found entitled in the facts and circumstances of the case.”

2. During the pendency of the present writ petition, the concerned authorities have withdrawn/canceled the impugned action. In the meanwhile, petitioner had participated in certain tender matters, wherein his application was entertained and it was rejected in technical bid. Taking note of these facts and circumstances, the



petitioner has fresh cause of action in respect of tender matter, the same cannot be adjudicated in the present petition.

3. Accordingly, the writ petition stands disposed of reserving liberty to the petitioner to assail the action of the respondent insofar as earlier tender notification and entertaining the petitioner's application read with its rejection. Pending Interlocutory Applications, if any stand disposed of.

(P. B. Bajanthri, ACJ)

(Alok Kumar Sinha, J)

Gaurav Sinha/-

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