

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17150 of 2024

Harilal Ventures Pvt. Ltd., through its Managing Director, Amit Mankani, Male, aged about 49 years S/o Late Shri Harilal Mankani, having its registered office at Plot no. IV/06, Patliputra Industrial Area, Patliputra, Patna and a Resident of House No. A-27, Hari Villa 5, Buddha Colony, Near Hospito India, P.S.- Buddha Colony, Boring Canal Road, Patna-1.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Secretary, Building Construction Department, Government of Bihar, Patna.
2. The Chief Engineer (Patna), Building Construction Department, Bihar, Patna.
3. The Superintending Engineer, South Bihar Circle, Building Construction Department, Bihar, Patna.
4. The Executive Engineer, Patna Building Division, Building Construction Department, Patna.
5. The Assistant Engineer, Samrat Ashok Convention Kendra Lower Division, Patna Building Division, Patna.
6. Amrapali Banquets Pvt. Ltd., A company registered under the Companies Act, 1956 having its Registered office at Sone Bhawan, Birchand Patel Path, R-Block, Patna, through its Director Jitendra Nath Gupta, S/O Mahendra Nath Gupta, Resident of House No. 11, Basant Vihar Colony, Opposite Laxmi Complex, Boring Road, Patna – 800001.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Nitesh Kumar, Adv.
For the Respondent/s	:	Mr. Kinkar Kumar, Standing Counsel (9)
For the Intervenor/Resp	:	Mr. Mrigank Mauli, Sr. Adv.

CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL ORDER

7 20-03-2025

I. A. No. 1 of 2025 and I.A. No. 02 of 2025

Interlocutory Application Nos. 01 of 2025 and the
Interlocutory Application No. 02 of 2025 are allowed.

2. Registry is directed to make the necessary changes
in the cause title of the present writ petition.

3. In the present case the respondents-authority have



already floated a tender calling for bids from the prospective lease holders on 16.02.2024 and it is stated across the bar that the petitioner as well as the Respondent No. 6 have participated in the said tender process. The technical bids were opened on 05.07.2024 granting seven days time for filing the objections if any. However it seems that the petitioner has not filed any objections and thereafter on 17.10.2024 the financial bids have been opened. The Respondent No. 6 being the successful bidder has deposited the necessary amounts including three months advance rents on 09.11.2024 and lease agreement has also been entered between the official respondents and the Respondent No. 6 on 12.11.2024. Once it has come to the notice of this Court that the petitioner has participated in the tender process conducted by the official respondents, the rights of the petitioner if any under the lease agreement ceases and the petitioner is precluded from continuing the possession after the lease period has expired. The relief sought for in the present writ petition has become infructuous and cannot be granted and the CWJC is dismissed.

4. However duly taking into account the fact that the petitioner has been conducting his operation since the last more than six years, this Court grants period of four weeks from today



to the petitioner to vacate the subject premises. However it is made clear that the petitioner shall clear all the dues to the respondents-authority within a period of two weeks from today and hand over the physical possession of the subject property on 19.04.2025 positively without fail. In case the petitioner does not clear the outstanding rent amounts within the time stipulated by this Court, then the authorities are free to evict the petitioner and take possession of the subject property and take necessary steps fro recovery of the amount due from the petitioner.

5. With the above directions, the present writ petition stands disposed of.

(A. Abhishek Reddy , J)

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