

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5942 of 2025

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Alok Kumar (Male), aged about 38 years, S/o Late Ram Padarth Singh, R/o Awas Nagar, New Police Line, Bairiya Bus Stand, P.O.-M.I.T, P.S. - Ahiyapur, Dist. - Muzaffarpur - 842003, Adhar no.- 873786931563, Mob- 8340592967 (Bid Id- 603189).

... .. Petitioner

Versus

1. The State of Bihar through the Secretary, Rural Work Department, Bihar, Bishweshraiya Bhavan, Bailey Road, Patna.
2. The Engineer-In-Chief, cum Commissioner cum Special Secretary, Rural Work Department, Bihar, Bishweshraiya Bhavan, Bailey Road, Patna.
3. The Chief Engineer-5, Muzaffarpur, R.W.D, sitting at Bishweshraiya Bhavan, Bailey Road, Patna.
4. The Superintending Engineer, RWD, Work Circle, Motihari.
5. The Ex. Engineer, RWD, Work Division, Chakiya.

... .. Respondents

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Appearance :

For the Petitioner : Mr. Sanjay Jha, Advocate.

For the Respondents : Mr. Madan Mohan, A.C to S.C- 5

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

and

HONOURABLE MR. JUSTICE SHAILENDRA SINGH

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE SUDHIR SINGH)

5 06-05-2026 Heard learned counsel for the petitioner and learned
counsel for the respondents.

2. Following is the relief sought for in the present
writ petition:-

“1. (i) For quashing the impugned order dated 28.02.2025 along with 17.02.25 passed by the Tender Committee headed by the Engineer-in-Chief (will be retired in June-25) due to not mentioned the Tools & Plants as per MBD 4.4 B (b)(i) in the affidavit of the petitioner. The petitioner has already submitted the affidavit



in which all tools & plants details mentioned as per MBD.

(ii) For directing the respondents to declare responsive of the technical bid of petitioner because petitioner has submitted the details of tools & plants under manner of MBD and open the financial bid and award the tender in favour of the petitioner if found lowest bid which has already been declared qualified earlier in the technical evaluation.

(iii) For restraining the respondents for further action in tender process because respondents are adamant to award the tender in favour of his choice bidder and not award the work in favour of the petitioner for which respondents can go out of manner. Thus an appropriate order may be passed directing the respondents to award the work in favour of the petitioner if his financial bid is found lowest,

(iv) For granting any other relief/s for which the petitioner be found entitled in the eye of law.”

3. A counter affidavit has been filed on behalf of the respondent nos. 2 to 5 and in paragraph no. 11 of the said counter affidavit, following statement has been made:-

“11. That thereafter present respondent has entered into Agreement vide Agreement No-03MBD/2025-26 dated 25.04.2025 followed by Letter of Acceptance and work order issued by the competent authority in favour of the successful bidder.”

4. Upon perusal of the aforesaid statement, it appears that the agreement has already been entered into between the parties, rendering the present writ petition infructuous.

5. Accordingly, the present writ application stands disposed of as having become infructuous.



6. Pending application(s), if any, shall also stand disposed of.

(Sudhir Singh, J)

(Shailendra Singh, J)

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