

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11616 of 2025

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Somendra Kumar Son of Hari Prasad Singh, resident of Gangjala Ward No. 16 P.S and District- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Rural Works Department Bihar Patna.
2. Principal Secretary Rural Works Department Bihar, Patna.
3. Engineer-in-Chief cum Additional Commissioner Cum Secretary Rural Works Department Bihar, Patna.
4. Chief Engineer Rural Works Department (W) Purnea- 4 Office at old Secretariat Bihar Patna.
5. Superintending Engineer Rural Works Department Saharsa.
6. Executive Engineer Rural Works Department Saharsa.
7. Technical Bid Evaluation Committee for MMGSY (AWSFSH-SC) Saharsa-133 through Chief Engineer Rural Works Department (W) Purnea-4 office at Old Secretariat Bihar Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Singh, Advocate
For the Respondent/s : Mr. Standing Counsel (07)

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

10 14-07-2026

Heard learned counsel for the parties.

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

“(i) That for issuance of appropriate writ/order/direction or writ in the nature of Certiorari quashing the decision of Technical bid Evaluation Committee dated 23.06.25 by which the petitioner's Technical Bid was illegally rejected on



the ground that the experience Certificate submitted by the petitioner was concerning Culvert & Building construction department as such the petitioner was ineligible under Clause 4,4A (c) to CMBD. Whereas the petitioner had uploaded/submitted his experience Certificate concerning Rural Works Department & Road too as such a declaration be issued, that the rejection of Technical Bid to petitioner is malicious since rate of the petitioner is lower than other Contractor.

(ii) That for Issuance of appropriate writ/order/direction be issued by way of Mandamus commanding the respondents to declare the petitioner qualified in Technical Bid & evaluate the Financial Bid in comparison with others contractors & decide the Tender on the basis of merits without any bias.

(iii) That for issuance of appropriate writ/order/direction be issued by way of Mandamus commanding the respondents not to discriminate under any illegal manner unknown to law.

(iv) That for grant of any other relief or reliefs to which the petitioner be found entitled in law be granted to them.”

3. Learned counsel appearing on behalf of the respondents submits that the tender notice in question itself has been recalled. In support of the said submission, he has referred to Paragraph-5 of the second supplementary counter affidavit, which is reproduced hereinbelow:-

“ 5. That at the outset it is very humbly submitted that the tender in question bearing NIT



No. RWD/MMGSY/AWSHESH-SC/HQ/ET/2025-26/03 dated 02.05.2025 has already been cancelled along with several other tenders issued under the signature of the Engineer-in-Chief, Rural Works Department, Bihar, Patna.”

4. Considering the fact that the tender in question has already been cancelled, we are of the view that no further order is required to be passed in the present application.

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, ACJ)

(Rajesh Kumar Verma, J)

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