

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13056 of 2023

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Rajesh Kumar Tikmani Son of Nand Kishor Tikmani, Braham Toil Road Near
Durga Sthan, P.S.-Ahiyapur, District-Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar Through Collector, Muzaffarpur.
2. The Principal Secretary, Urban Development Housing Department,
Government of Bihar, Patna.
3. The Collector, Muzaffarpur.
4. The Municipal Commissioner, Municipal Corporation, Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Parth Gaurav, Adv. Mr. Ashutosh Kumar Pandey, Adv. Mr Kumar Saurav, Adv. Mr. Ashwini Singh Gargi, Adv.
For the Respondent/s	:	Mr. Yogendra Pd. Sinha (AAG-7) Mr. Awadhesh Kumar, Adv.

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY
ORAL ORDER

4 22-07-2026 **1.** The Writ petition has been filed for the
following reliefs:-

*I. For issuance of a writ in the
nature of certiorari or any other
appropriate writ, order or direction in
the nature of certiorari to quash the e-
tender notice Published
no.09/MMC/2021-22 dated 29.08.2021
issued under the signature of Municipal
Commissioner, Muzffarpur to the
extent it proposes to establish street
vending zone along with Akharaghat
Road main road known for its
commercial activities.*

*II. For issuance of an
appropriate writ, order or direction*



restraining the respondent from creating a vending zone in front of the house and godown of the petitioner.

III. For issuance of an appropriate writ in the mandamus commanding and directing the respondent to build vending zone only as per provision contained in Bihar Street Vendors (Protection of livelihood and regulation of Street Vending) Schemes 2017 at appropriate vacant places, not trampling the rights of local citizen.

IV. For grant of such other relief/reliefs to which the petitioner may be deemed entitled to.

2. During the course of arguments, Learned counsel for the respondents submitted that the writ petition has been filed to quash the e-tender notice dated 29.08.2021, however, the said notice has already been cancelled by the respondent authorities. A counter affidavit has also been filed to that effect, showing that the e-tender has been cancelled. Therefore, nothing remains for adjudication, and the writ petition has become



infructuous.

3. On the other hand, the Learned counsel for the petitioner submitted that the same may be recorded and the matter be disposed of. Since the e-tender dated 29.08.2021, which is under challenge, has already been cancelled by the Municipal Commissioner, Muzaffarpur, nothing remains for further adjudication in the Writ petition.

4. Accordingly, the Writ petition is dismissed as infructuous.

(G. Anupama Chakravarthy, J)

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