

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16160 of 2025

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Rina Singh wife of Sachidanand Singh, resident of village and Post Sonbarsa,
P S Obara, District Aurangabad (Bihar).

... .. Petitioner

Versus

1. The State of Bihar through the Additional Chief Secretary, Rural Works Department, Government of Bihar, Patna.
2. The Engineer in Chief, Rural Works Department, Government of Bihar, Patna.
3. The Chief Engineer 2, Rural Works Department, Government of Bihar, Patna.
4. The Superintending Engineer, Rural Works Department, Works Circle, Gaya, Bihar.
5. The Executive Engineer, Rural Works Department, Works Division, Gaya, Bihar

... .. Respondents

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Appearance :

For the Petitioner : Mr. Prabhat Ranjan, Advocate

For the Respondents : Mr. Additional Advocate General (3)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
and
HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE SUDHIR SINGH)

3 11-03-2026

Re: I.A. No. 01 of 2026

The pleadings of the interlocutory application shall
form part of the main writ application.

2. Accordingly, I.A. No. 01 of 2026 stands allowed.



Re: C.W.J.C. No. 16160 of 2025

3. The present application has been filed seeking the following relief:-

“1. That this is an application on behalf of the petitioner above named seeking issuance of appropriate writ, rule or direction for commanding upon the Respondents to execute the Agreement and issue the Notice for commence the work in terms of the Letter of Acceptance as contained in Letter No. 9792 dated 18.09.2025 issued by the Executive Engineer (Respondent No. 5) in connection with Tender Package No. MMGSY (Awashesh-SC) Gaya-334 (Tender ID No. 142157) under MMGSY.

1.(ii) Quashing of the Letter No. 341 dated 12.02.2026 by which, the Executive Engineer, during pendency of the present writ application and without any jurisdiction and merely on the basis of oral instructions has cancelled the Letter of Acceptance as issued in favour of the petitioner vide earlier Letter No. 2722 dated 18.09.2025;

(iii) Restraining the Respondents from proceeding further giving effect to the Letter No. 341 dated 12.02.2026 during the pendency of the present writ application and/or without the leave of this Hon'ble Court.”

4. Learned counsel for the petitioner has submitted that Letter No. 341 dated 12.02.2026 has been issued in pursuance of Letter dated 12.12.2025 issued vide Memo No. 12629. It is further submitted that the appellate authority, vide order dated 12.12.2025, had dealt with Tender No. 140471,



however, while passing the order it proceeded to cancel the Letter of Acceptance in connection with Tender No. 142157, which was not the subject matter before the appellate authority. It is thus submitted that the appellate authority exceeded its jurisdiction and the said order needs to be set aside.

5. Upon perusal of record, it transpires that the order contained in Memo No. 341 dated 12.02.2026 is in teeth of the order dated 12.12.2025 issued *vide* Memo No. 12629. It may be indicated that the said order has already been set aside and the matter has been remanded back in C.W.J.C. No. 425 of 2026 *vide* order dated 11.03.2026. In view thereof, the present order contained in Memo No. 341 dated 12.02.2026 (Annexure-P/12) is also set aside.

6. However, liberty is granted to the Department to re-examine the matter and pass a fresh order in accordance with law, after giving adequate opportunity of hearing to all the stakeholders, preferably within a period of eight weeks from the date of filing of any application for reconsideration by the petitioner.

7. With the aforesaid observation, the present writ application stands disposed of.

8. Pending application(s), if any, shall also stand



disposed of.

(Sudhir Singh, J)

(Sunil Dutta Mishra, J)

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