

**(2020) 09 PAT CK 0287**

**In the Patna High Court**

**Case No :** Civil Writ Jurisdiction Case No. 7832 Of 2020

Ranjana Kumari

APPELLANT

Vs

Union Of India And Ors

RESPONDENT

**Date of Decision :** 23-09-2020

**Acts Referred:**

**Citation :** (2020) 09 PAT CK 0287

**Hon'ble Judges :** Sanjay Karol, CJ;S. Kumar, J

**Bench :** Division Bench

**Advocate :** Kumar Brijnandan, Dr. K.N. Singh, Vikash Kumar

**Final Decision :** Disposed Of

## Judgement

Petitioner has prayed for the following relief(s):

â??(i) For issuance of an order (s)/ direction (s) or writ (s) in the nature of mandamus directing the Respondent No.4-BMSICL and the State of

Bihar to dispose of the representations dated 14.02.2020 sent by the petitioner [Annexure-4 (series)] pursuant to the order dated 23.01.2020 passed by

this Honâ??ble Court in CWJC No.1519 of 2020 (Ranjana Kumari Vs. The Union of India & Ors). And/or

(ii) For issuance of further order (s)/ direction (s) or writ(s) in the nature of Mandamus directing the Respondent No.4-BMSICL to finalize without

inordinate delay the tender process initiated by Notice inviting Tender (NIT No.BMSICL/Infra/22/2019 dated 10.06.2019) for construction of six

Government Medical College & Hospital in Bihar located in the districts of Vaishali, Begusari, Sitamarhi, Jamui, Madhubani and Buxar. And/or

(iii) Pass such other order/ orders which may appear fit and proper in the facts and circumstances of the instant case.â??

It is the petitioner's grievance that despite issuance of notice inviting tender for construction of Government Medical College & Hospital in Bihar

[N.I.T. No. BMSICL/Infra/22/2019] dated 10th of June, 2019 (Annexure-1), calling upon parties to express their interest for carrying out civil work

for construction of six medical colleges and hospitals in the State of Bihar, tendering process has yet not been completed.

Shri Vikash Kumar, learned Standing Counsel No. XI, under instructions states that the position, as stated by the petitioner, is not correct. The process

of tender stands partly completed. Also construction stands commenced at least with respect to the Medical Colleges at district- Sitamarhi and district-

Madhubani. With respect to two other Medical Colleges, namely, Begusarai and Buxar, the process for finalizing the tender was on way, but however,

with the finalization of the technical bid, the aggrieved party approached this Court by way of writ petitions [C.W.J.C. Nos. 208 of 2020 and 211 of

2020] in which further proceedings stand stayed.

The State shall move an application seeking preponement of hearing and modification of such order.

In so far as District- Jamui is concerned, the process could not be completed on account of non-availability of eligible candidate and as such, the

Government has taken a decision of initiating a fresh process.

In so far as District- Vaishali is concerned, even though the tender process stands completed but construction could not commence for want of certain

procedural formalities, for which appropriate action stands taken and clearance is likely to be obtained in the near future.

Statement is accepted and taken on record.

In view of the aforesaid factual matrix, we dispose of the present petition reserving liberty to the petitioner to take further action in accordance with

law, if so required and desired.