

GAHC040011602024



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)
(ITANAGAR BENCH)

Case No. : IA(C)/157/2024

M/s N T Agency
registered office at B Sector, Prem Nagar, Naharlagun, Papumpare District, Arunachal Pradesh, represented by its attorney Shri Lokap Pao, Son of Late Mana Pao, resident of Village Kremapao, East Kameng District, Arunachal Pradesh

VERSUS

The State of AP and 5 Ors
represented by the Secretary, RWD cum Chief Executive Officer, ARRDA, Govt of Arunachal Pradesh, Itanagar 2:The Chief Engineer
Age: 0
Occupation :

3:The Superintending Engineer
Age: 0
Occupation :

4:The Chiarman
Age: 0
Occupation :

5:M/s Tenzing Construction
Age: 0
Occupation :

6:M/s TNT Enterprsie
Age: 0
Occupation

Advocate for the Petitioner : Eho Menjo

Advocate for the Respondent : Gimi Tarak

Linked Case : WP(C)/344/2024

M/s N T Agency

Age: 0

Occupation :

Address:registered office at B Sector

Prem Nagar

Naharlagun

Papumpare District

Arunachal Pradesh

represented by its attorney Shri Lokap Pao

Son of Late Mana Pao

resident of Village Kremapao

East Kameng District

Arunachal Pradesh

VERSUS

The State of AP and 5 Ors

Age: 0

Occupation :

Address:represented by the Secretary

RWD cum Chief Executive Officer

ARRDA

Govt of Arunachal Pradesh

Itanagar

2:The Chief Engineer

Age: 0

Occupation :

Address:PMGSY

Govt of Arunachal Pradesh

Itanagar

3:The Superintendent Engineer

Age: 0

Occupation :

Address:Rural Work Circle

Rupa

West Kameng District

Arunachal Pradesh

4:The Chairman
Age: 0
Occupation :
Address:Tender Evaluation Committee
RWC
Rupa
West Kameng District
Arunachal Pradesh

5:M/s Tenzing Construction
Age: 0
Occupation :
Address:represented by its proprietor Shri Lobsang Tsering
Son of Shri Chomu Monpa
Dirang Village
PO and PS Dirang
West Kameng District
Arunachal Pradesh

6:M/s TNT Enterprise
Age: 0
Occupation :
Address:represented by its proprietor Shri Thinley
resident of Old Market Tawang
PO and PS Tawang
District Tawang
Arunachal Pradesh

Advocate for : Pritam Taffo
Advocate for : Gimi Tarak appearing for The State of AP and 5 Ors: Advocate ,

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, appearing for 2,

3,

4,

5,

6, respectively.

B E F O R E
HON'BLE MR. JUSTICE KARDAK ETE

ORDER

05.09.2024

Heard Mr. P. Taffo, learned counsel for the applicant/petitioner. Also heard Mr. G. Tarak, learned Standing Counsel, RWD, for the opposite parties/respondents.

By filing this application, the applicant has sought for amendment of the writ petition being WP(C) No.344/2024. It is submitted that in view of the subsequent developments during the pendency of the WP(C)344/2024, the applicant seeks amendment of the writ petition by incorporating the following paragraph as 19A and 19B, which are quoted as under:-

”19A. That the respondent authority continued to assert that the financial Bid was allegedly opened 20- 08-2024. However, the petitioner couldn't access copy of the same as the respondent authorities didn't upload the same on the website. The impugned financial bid opening dated 20-08-2024 was uploaded only on 23-08-2024. The veracity financial bid on 20-08-2024 is doubtful.

19B. That the respondent authorities could not have opened of financial bid as the representation of petitioner was still pending before it. Thus, the opening of financial bid is in clear violation of clause 22.6 of Standard Bidding Document (SBD).”

It is further submitted that further amendment may be allowed, which is

as under:-

IV. *"A writ of certiorari should not be issued quashing and setting aside the impugned financial bid opening dated 20-08-2024 as illegal and arbitrary."*

Mr. G. Tarak, learned Standing Counsel, RWD, for the opposite parties/respondents has raised no objection to the said prayer.

Having considered the grounds for amendment and the prayer not being objected to by the learned counsel for the respondents, an amendment in WP(C) 344/2024 incorporating the three paragraphs as 19A and 19B and 8-IV in the prayer portion is allowed.

I.A.(C) stands allowed and disposed of.

JUDGE

Comparing Assistant