



2024:UHC:8221-DB

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			WPMB No. 525 of 2024 <u>Hon'ble Manoj Kumar Tiwari, A.C.J.</u> <u>Hon'ble Vivek Bharti Sharma, J.</u> Ms. Menka Tripathi, Advocate for the petitioner. 2. Mr. P.C. Bisht, Additional Chief Standing Counsel for the State of Uttarakhand/respondent no. 1. 3. Mr. S.S. Chauhan, Advocate for respondent nos. 2, 3, 4, 5 & 6. 4. Petitioner is a Class-A Civil Contractor registered with Rural Engineering Service, Irrigation Department and Public Service Department of the State. 5. By means of this writ petition, petitioner has sought the following reliefs:- (i) <i>issue a writ order or direction in the nature of Certiorari thereby quashing the bid/notice inviting tender dated 26.10.2024 having Tender ID 2024_CCUK_136938_1 floated by the respondent no.2 for work description :MRL03-Dasaithal Agron Pokhri To Chaulikhulet Chandikaghat Motor Road Upgradation, Length 10.576 Km. Phase-XVII as contained in Annexure No. 1 to the writ petition.</i> (ii) <i>Issue writ, order or direction in the nature of certiorari quashing the decision dated 08.08.2024/document whereby the petitioner was disqualified on the ground that "Methodology is not proper", contained in Annexure No. 4 to the Writ Petition.</i> (iii) <i>Issue writ, order or direction in the nature of certiorari quashing the resolution dated 27.09.2024 whereby a decision was taken to revoke the tender disqualifying all</i>



			<i>the bidders, to the extent it disqualifies the petitioner, contained in Annexure No. 7 to the Writ Petition.</i> <i>(iv) Issue writ, order or direction in the nature of mandamus commanding the respondent no. 2 and 3 to treat the petitioner as technically qualified and open the financial bid of the petitioner.”</i> 6. From the pleadings made in the writ petition, it transpires that petitioner submitted bid in response to Notice Inviting Tender, issued by respondent no. 2, on 02.03.2024 as amended vide corrigendum dated 16.03.2024. Petitioner's bid was declared to be technically non-responsive on the ground that methodology indicated by him in his technical bid was not found to be proper. 7. Petitioner made representation against the said decision taken by Competent Authority declaring his technical bid to be non-responsive. His representation was rejected. 8. Mr. S.S. Chauhan, learned counsel appearing for respondent nos. 2 to 6 submits that four bids, in total, were received in response to the aforesaid Notice Inviting Tender, out of which two were found to be technically qualified and remaining two were declared as technically non-responsive. He further submits that petitioner filed objection against the two bidders, who were found to be technically responsive, questioning their eligibility. The objection submitted by petitioner, questioning eligibility of two bidders, who were
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