

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10931 of 2016

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M/s. Savino Engicon Pvt. Ltd., a registered Company through its Director Sunil Kumar Son of Late Satyadeo having its office at 169, M.I.G., Kankarbagh, P.S. Kankarbagh, Town and District Patna

.... Petitioner

Versus

1. The State of Bihar
2. The Principal, Secretary, Bihar Tourism Development, Corporation Ltd., Bihar, Patna
3. The Secretary, Bihar Tourism Development, Corporation Ltd., Bihar, Patna
4. The Managing Director, Bihar Tourism Development, Corporation Ltd., Bihar, Patna
5. The Chief Engineer, Bihar Tourism Development, Corporation Ltd., Patna
6. The Executive Engineer, Bihar Tourism Development, Corporation Ltd., Patna

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Shashi Anugrah Narain, Sr. Advocate with
Mr. Prafull Chandra Jha, Advocate

For the Corporation : Mr. Rajeev Ranjan Prasad with M/S Rajendra
Kumar, Sudhansu Trivedi, Surabhi, Advocates

For the State : Mr. Deepak Sahay Jamuar, AC to AAG-4

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CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA
ORAL ORDER

3 26-09-2016 Heard learned counsel for the petitioner and learned counsels for the State and for the Bihar Tourism Development Corporation.

The writ application has been filed for direction on the respondent authorities of Tourism Development Corporation to take the process initiated by the tender dated 28.4.2016 to its logical conclusion and to allot the work to the petitioner and further to quash the re-tender dated 30.6.2016 by which the respondent authorities had come out with a new tender for the same work and for other consequential relief.

It is informed by learned counsel for the respondent

Tourism Development Corporation that the petitioner had participated in the tender process initiated by re-tender dated 30.6.2016 and was declared successful in the technical bid and thereafter the financial bid was also opened in which the petitioner did not turn out to be an L-1 tenderer and accordingly the contract has been granted to the lowest tenderer.

In the above circumstances, it is evident that the petitioner having participated in the subsequent re-tender notice dated 30.6.2016 it is not open to it to turn around and challenge the same after having lost in the said tender process.

For the aforesaid reason, the writ application is dismissed.

(Ramesh Kumar Datta, J)

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