

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5865 of 2013

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M/S Sri Ram Enterprises, a partnership firm having its office at 5th Floor, Sadbhawna, A.C. Road, Bhagalpur, Post Office and District Bhagalpur through its authorized representative Sri Giriraj Sharma, Son Of Late Ammi Lal Sharma, Resident of Jagarnath Suri Lane, Mandroja, P.O. Bhagalpur, P.S. Tatarpur, District Bhagalpur

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary cum Commissioner, Department of Rural Works, Government of Bihar, Patna
2. The Engineer in Chief, Department of Rural Works, Govt. Of Bihar, Patna
3. The Chief Engineer-II, Department of Rural Works, Govt. Of Bihar, Patna
4. The Superintending Engineer, Department of Rural Works, Govt. Of Bihar, Purnia
5. The Executive Engineer, Department of Rural Works, Baisi.
6. Nawal Kishore S/O Sri Basudeo Yadav, R/O Mohalla Dhamdaha, Purnea

.... Respondents

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Appearance:

For the Petitioner : Mr. Gautam Kejriwal
Mr. Zahid Hussain, Advocates
For the Respondents : Mr. Sarvesh Kr. Singh, AAG 13
Mrs. Sunita Kumari, AC to AAG 13

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 08-08-2016

Heard learned counsel for the petitioner and learned counsel for the respondents.

2. The present writ petition has been filed for quashing of the Minutes of Meeting of the Technical Bid dated 14.12.2012 whereby the Technical Bids of the petitioner for item no. 1146 of works within Rural Works Division, Purnea has been rejected; and for connected reliefs.

3. Learned counsel for the petitioner submits that the matter is squarely covered by the order dated 05.04.2013 of the

coordinate Bench of this Court passed in CWJC No. 558 of 2013 and analogous cases (M/s Sharda Construction Vs. The State of Bihar & others) which were disposed of with the following directions:-

“Thus, on a consideration of the entire facts and circumstances, I am of the view that the Technical Bid Committee has wrongly rejected the technical bids of the petitioners. The petitioners are entitled to have their financial bids considered and final decisions taken accordingly after opening of their financial bids. Let the same be done within three weeks from the date of receipt/production of a copy of this order.”

4. Learned counsel for the State raises no objection if the writ petition is disposed of accordingly.

5. Despite valid service of notice on respondent no. 6, none is present on his behalf.

6. Having regard to the stand of the respective parties and with their consent, the present writ petition is disposed of in line and on the same terms as in CWJC No. 558 of 2013 and analogous cases (M/s Sharda Construction Vs. The State of Bihar & others).

(Vikash Jain, J)

B.T/-Chandran

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	09.08.2016
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