

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.192 of 2017
IN
Civil Writ Jurisdiction Case No. 2230 of 2016**

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Pratik Meditech, B-90, P.C. Colony, Kankarbagh, Patna-800 020, a proprietorship firm represented through its Proprietor Namely Kundan Kumar, Son of late Shri Janardan Prasad Singh, resident of 402, Vasundhara Apartment, Sheikhpura More, P.S.- Shastri Nagar, District- Patna-800014.

.... Petitioner-Appellant/s

Versus

1. The State of Bihar, through the Principal Secretary, Department of Health Services, Government of Bihar, Patna.
2. The Principal Secretary, Department of Health Services, Government of Bihar, Patna.
3. The Joint Secretary, Department of Health Services, Government of Bihar, Patna.
4. The Director, Indira Gandhi Institute of Medical Sciences, Bailey Road, Sheikhpura, Patna, Bihar, Patna-800014.
5. The Store Officer cum Procurement Consultant, Indira Gandhi Institute of Medical Sciences, Bailey Road, Sheikhpura, Patna, Bihar-800014.
6. Vishal Surgical Equipment Company Pvt. Ltd. 29, Dr. Rajendra Road, "Siddharth" Kolkata-700020.

.... Respondents-Respondent/s

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Appearance :

For the Appellant/s : Mr. Manoj Kumar, Advocate

For the Respondent/s : Mr. Suryadeo Yadav-AAG9

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 15-05-2017



Seeking exception to an order dated 04.10.2016 passed by the learned Writ Court in Civil Writ Jurisdiction Case No.2230 of 2016, this appeal has been filed under Clause 10 of the Letters Patent.

Indira Gandhi Institute of Medical Sciences issued a tender notice on 28.05.2015 for installation of Laparoscopic Surgery Set with all Standard Accessories. The tender was processed and the contract was awarded to M/s Vishal Surgical Equipment Company Pvt. Ltd.. Challenging the grant made, the writ petition was filed by the appellant and before the Writ Court, as is made out from the detailed order passed by the learned Writ Court, four objections were raised. The objections were examined in detail by the learned Writ Court and it was found that they were not substantial in nature and they were primarily inadvertent errors, which were clarified at the time of negotiation and finding that the tender has been awarded in accordance with law, the writ petition has been dismissed.

The same arguments, as were canvassed before the learned Writ Court, were put forth before us and after hearing learned counsel for the parties, we find that in a detailed order passed, the learned Writ Court has gone into each of the four issues raised and indicated them by giving cogent and justifiable reasons. We see no reasons to take a different view. As the learned Writ



Court has dealt with issues and given reasonable justifications for dismissing the writ petition and finding no error in the order passed by the learned Writ Court, this appeal is also dismissed.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

Sunil/-

AFR/NAFR	N.A.F.R
CAV DATE	N.A.
Uploading Date	18.05.2017
Transmission Date	

