

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.672 of 2016

=====

Balaji Deo Construction Pvt. Ltd.(114441) through its Managing Director,
Ashutosh Kumar, Son of Shri Badari Narayan Singh, resident of Ghurdaur Road,
near B.K Institute of Technology, Digha Patna-11.

.... Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, R.W.D. Patna, Bihar.
2. Engineer-in Chief cum-Additional Commissioner cum Special Secretary, Rural Works Department, Bihar, Patna.
3. Chief Engineer-3, Rural Works Department, Patna.
4. Superintending Engineer, Rural Works Department, Circle Siwan.
5. Executive Engineer, Rural Works Department Division. Hatwa, District-Gopalganj.
6. Messers Sahab Singh Construction Pvt. Ltd. through its managing Director.

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Bimla Kumari, Advocate
For the Respondent/s : Mr. Rishi Raj Sinha, S.C. 19
Mr. Archana Prasad, A.C. to S.C. 19

=====

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 10-04-2017

Holding that appellant did not fulfil the minimum requirement criteria of having experience of executing similar work to the extent of 10 per cent of the tender value with regard to construction of road, bid of the appellant has been dismissed and the same has been approved by the learned Writ Court.

2. The documents filed by the appellant to show experience did not meet the requirement of minimum experience qualification and, therefore, in rejecting the claim of the appellant no



error has been committed warranting reconsideration. The experience certificate submitted by the appellant was with regard to construction of some road and installation of hand-pump and as it is evident from the record that the experience gained by the appellant, as is made out from the certificate, did not meet the requisite criteria, no error can be found in the order passed by the learned Writ Court dismissing the writ petition.

3. The Letters Patent Appeal is, therefore, dismissed.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

P.K.P.

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	13.04.2017
Transmission Date	

