

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23416 of 2018

M/s Rudranee Infrastructure Limited, a Company incorporated under the Companies Act, 1956, having its registered office at A-9 Industrial Cooperative Society, MIDC Area, Railway Station, Aurangabad 431005 through its duly authorized representative, Mr. Nityanand Shankarrao Deshpande, son of late Shankarrao Deshpande, resident of R 43 T-62, Sai Park, Renuka, N-&, CIDCO, Aurangabad, District-Aurangabad, Maharashtra, Pin-431 001

... .. Petitioner/s

Versus

The State of Bihar & Ors.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Abhinav Srivastava
For the Respondent/s	:	Mr. Kinkar Kumar, SC-9
For the SBPDCL	:	Mr. Anand Kumar Ojha

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-12-2018 The short prayer of the petitioner in the present writ petition is that the petitioner had submitted his bid in pursuance to the connected tender bearing NIT No. 04/PR/SBPDCL/2018 and NIT No. 07/PR/SBPDCL/2018 and had deposited bid security to the tune of Rs. Two crores, however, being unsuccessful the petitioner was entitled to refund of the said amount as per Clause-13.4 of the NIT which reads as follows:-

“13.4 The bid securities of unsuccessful bidders will be returned as promptly as possible, but not later than twenty-eight {28} days after the execution of agreement.”

The learned counsel for the petitioner submits that despite lapse of about nine months, the aforesaid amount of bid security has not been refunded though the petitioner had not



participated in the bid.

Having regard to the limited prayer made by the petitioner in the present writ petition, the present writ petition is disposed of with liberty to the petitioner to approach the Managing Director, South Bihar Power Distribution Company Limited, Patna i.e. the respondent no. 4 for redressal of his grievances regarding refund of the bid security amount and in case the petitioner approaches the respondent no. 4 by 10th of December, 2018, the respondent no. 4 shall take appropriate action and pass appropriate orders on the representation of the petitioner by 14th December, 2018.

It is needless to state that till the passing of the final order by the respondent no. 4, the bank guarantee of the petitioner shall not be encashed.

The writ petition is disposed of on the aforesaid terms.

(Mohit Kumar Shah, J)

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