

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.561 of 2019

In
Civil Writ Jurisdiction Case No.4681 of 2019

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Larsen and Toubro Ltd. having its registered office at L and T House, Ballard Estate, Fort, Mumbai- 400001, through its Joint General Manager-Marketing, Coal and Construction Projects, Arup Bhattacharya, authorised signatory on behalf of the company, aged about 50 years (Male), son of Late Nirendra Nath Bhattacharya, resident of Vadodara, Gujarat

... .. Appellant/s

Versus

1. SJVN Thermal (P) Ltd. having registered office at 169 Patliputra Colony, Patna-800013 (Bihar), India through its Chief Executive Officer, Buxar Thermal Power Project.
2. The Chief Executive Officer, SJVN Thermal (P) Ltd., 169 Patliputra Colony, Patna - 800013 (Bihar), India, Buxar Thermal Power Project.
3. Head Contracts, SJVN Thermal (P)Ltd., Buxar Thermal Power Project, 2nd Floor, Navdurga Complex, Collectrariate Road, Ambedkar Chowk, Buxar-802103, Bihar.
4. Bharat Heavy Electrical Ltd. (BHEL) Through the Chairman-cum-managing Director, BHEL House, Siri Fort, New Delhi
5. M/s E-Procurement Technologies Limited, B-704-705, Wall Street II, Opp. Orient club, Nr. Gujarat College, Ahmedabad-380006.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Ashish Giri
For the Respondent/s : Mr.Mrigank Mauli

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 28-06-2019

Heard Shri Ankur Sehgal, learned counsel for

the appellant, Shri Mrigank Mauli and Shri Vikas Kumar,

learned counsel for the respondents.

We had adjourned the matter on the request of

the learned counsel vide order dated 9th of May, 2019. The



order passed on 9th May, 2019 is extracted hereinunder:

“Heard learned Senior Counsel Shri V. Giri along with Shri Y.V. Giri, learned Senior Advocate, Shri Ashish Giri, Shri Ankul Saigal and Ms. Svadha Shankar, learned Advocates, for the appellant.

After we had heard the matter at length, it was pointed out by Shri S.B. Upadhyay, learned Senior Counsel for the respondent Nos.1 to 3 upon instructions appearing along with Shri Mrigank Mauli, Shri Sanket, Shri Nishant Kumar and Shri Prince Kumar Mishra that the financial bids have been processed today and the probable outcome of the said bids appears to be in favour of the appellant as he is likely to emerge as Bidder L1 for the contract.

Shri Parag Tripathi, learned Senior Counsel along with Shri P.K. Shahi, learned Senior Advocate, Ms. Priya Singh, Shri Srinivasan Ramaswamy and Shri Vikas Kumar, learned Advocates, who appears for the 4th respondent, submit that the matter can be concluded in the event any further directions are required from this Court without prejudice to the rights of either of the parties to contest the award of the contract that is yet to be finalized and for that, he prays that the matter be adjourned.

Learned counsel for all the parties agree that the matter be taken up on 28th of June, 2019.

List on 28th of June, 2019.”

Today, the learned counsel for the parties have urged that the matter, therefore, now may be consigned without prejudice to the rights of the parties staking any claim



before the appropriate forum.

The same is, accordingly, consigned to records.

(Amreshwar Pratap Sahi, CJ)

(Anjana Mishra, J)

K.C.Jha/-

AFR/NAFR	
CAV DATE	N.A.
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