

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.718 of 2022

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Gita Mahila Utthan Samiti having its registered Office Situated at Rajendra Nagar, Arrah, District-Bhojpur, PIn Code-802 301, through its Secretary, Smt. Rinki Kumari, Pandey, Female aged about 41 Years, Wife of Mani Kumar Pandey, resident of Rajendra Nagar, P.O. and P.S.-Arrah, District-Bhojpur, PIn Code-802301

... .. Petitioner/s

Versus

1. The State of Bihar through the Addtional Chief Secretary, Health Department, Bihar, Patna.
2. Executive Director, State Health Society, Bihar, Patna.
3. District Magistrate-Cum-Chairman, District Health Society, Gopalganj.
4. Civil Surgeon-Cum-Chief Medical Officer, Gopalganj-Cum-Member Secretary, District Health Society, Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Abhinav Srivastava, Advocate
For the State	:	Mr. Ravi Kumar, AC to GP-13
		Dr. Anand Kumar, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

4 29-11-2022 Re.: Interlocutory Application No. 1 of 2022

For the reasons mentioned in the application, the prayer made therein is allowed.

Let Vision Technocrates Pvt. Ltd., Shop No. 13, S.B.I. Building Main Road, Kankarbagh, Patna through its Secretary be impleaded as Party Respondent No.5.

Registry is directed to make necessary correction in the memo of parties both in the digital as well as physical file.



I.A. No. 01 of 2022 stands disposed of.

Re.: CWJC No. 718 of 2022

Petitioner has prayed for the following relief(s):-

“(i) Issuance of a direction, order or writ, including writ in the nature of certiorari quashing the Notice Inviting Tender dated 07/01/2022 bearing Tender Enq. Ref. No. DHS/Gopalganj/NCS/CLN/28 inviting tenders from eligible and qualified organizations for outsourcing of cleaning services at government healthcare facilities in the district of Gopalganju issued from the office of Civil Surgeon-cum-Chief Medical Officer, Gopalganj;

(ii) Issuance of a direction, order or writ, including writ in the nature of mandamus commanding the concerned respondent authorities in the office of the Civil Surgeon-cum-Chief Medical Officer, Gopalganj to take steps towards issuing the work order and execution of the agreement in favour of the petitioner organization that has already been declared to be L-1 bidder on the basis of the tender process completed pursuant to Notice Inviting Tender dated 07/12/2021 bearing Tender Enq. Ref. No. DHS/Gopalganj/NCS/CLN/3439 issued from the office of Civil Surgeon-cum-Chief Medical Officer, Gopalganj strictly in accordance with law’

(iii) Issuance of a declaration holding that the action on the part of the concerned respondent authorities in issuing the impugned Notice Inviting Tender dated 07/01/2022 bearing Tender Enq. Ref. No. DHS/Gopalganj/NCS/CLN/28 for outsourcing of cleaning services at government healthcare facilities in the district of Gopalganj notwithstanding the fact that the process of tender in the said respect has already been completed strictly in accordance with law pursuant to a similar Notice Inviting Tender dated 07/12/2021 bearing Tender Enq. Ref. No. DHS/Gopalganj/NCS/CLN/3439, in which the present petitioner has been declared as the L-1 organization;



(iv) Issuance of an ad interim stay on the operation of the impugned Notice Inviting Tender dated 07/01/2022 bearing Tender Enq. Ref. No. DHS/Gopalganj/NCS/CLN/28 during the pendency of the instant writ petition before this Hon'ble Court;
(v) Any other relief that the petitioner may be found to be entitled to in the facts and circumstances of the present case."

We have heard learned counsel for the parties. We notice that the respondent's bid amount was far below than that of the one quoted by the person who was categorized as L-1.

As such, present petition, in any event, cannot be allowed.

Petition stands dismissed.

Interlocutory application, if any, shall also stand disposed of.

(Sanjay Karol, CJ)

(Partha Sarthy, J)

Sujit/Ashwini

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