

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1786 of 2022

M/s EVRASCON-SECPL (JV) having its registered office at R.T. Bhawan, Punaichak, Patna - 800023 represented through its Authorised Signatory Sujeet Kumar Jha, Male, Aged about 38 Years, Son of Ashok Kumar Jha, Resident of 203 Block - B, Ravi Enclave, Vijay Vihar Colony, NEAR St. Karens School, Sagunamore, P.S. - Khagaul Road, District - Patna - 801503.

... .. Petitioner/s

Versus

1. The Government of India through Ministry of Road Transport and Highways (Zone- 1), Transport Bhwan 1, Parliament Street, New Delhi - 110001.
2. The Chief Engineer (Project Zone- I)-III, Bihar, Ministry of Road Transport and Highways (MoRT and H), Government of India.
3. The Chairman, Technical Evaluation Committee-cum-Chief Engineer, (Zone- I), Ministry of Road Transport and Highways (MoRT and H), Government of India.
4. The Regional Officer, Patna, Ministry of Road Transport and Highways (MoRT and H), Government of India, Bihar.
5. M/s Baba Hans Construction Pvt. Ltd, having its office at Plot No. 162, 402, Bhola Apartment, Anandpuri West Boring Canal Road, Patna - 800001.
6. M/s RK Jain Infra Projects (JV), having its registered office at B- 27, Radhy Puri, Krishna Nagar, Near Jain Mandir, Delhi- 110051.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Mrigank Mauli, Sr. Advocate Mr.Prince Kumar Mishra, Advocate
For the Respondent/s	:	Mr.Dr. Krishna Nandan Singh, ASG Mr. Tuhin Shankar, CGC

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 21-03-2022 Petitioner has prayed for the following relief(s):

“a) For issuance of the writ in the nature of Certiorari, quashing the decision of the Technical Evaluation Committee – Technical Result – dated 25/1/2022 issued by the Regional



Officer, Patna (Respondent No. 4) to the extent that it makes the Technical Bids of M/s Baba Hans Construction Pvt. Ltd (Respondent No.5) & M/s R K Jain Infra Projects (Respondent No. 6) “Responsive” in the Technical Bid Round – in complete contravention of the clause 2.1.11 (e), 2.2.2.2 (ii) & 2.2.2.5(iv) of Request for Proposal (hereinafter referred as “RFP”).

b) For issuance of the Writ in the nature of mandamus, directing and commanding upon the respondent authorities declare the Technical Bids of M/s Baba Hansa Construction Pvt. Ltd (Respondent No. 5) & M/s R K Jain Infra Projects (Respondent No. 6) as ‘technically not responsive’ and further direction that the Financial Bids of the aforesaid Respondent No. 5 & 6 be not considered for opening.

c) For any other relief which this Hon’ble Court may deem fit and appropriate.”

Learned counsel for the petitioner, under instructions, states that the petition, in its present form, may be permitted to be withdrawn reserving liberty to file afresh with better particulars on the same and subsequent cause of action, if so required and desired.

Prayer allowed.

Petition is disposed of as withdrawn with the liberty aforesaid.



As and when such petition is filed, registry shall process it immediately and have it listed before the appropriate Court.

Also liberty reserved to the petitioner to take recourse to such other remedies as are otherwise available in accordance with law.

Interlocutory application(s), if any, shall also stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/DKS

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