

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5589 of 2022

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M/s Graphic Trades Private Limited, a Company registered under the provisions of the Companies Act, 2013, having its registered office at C-15/B, Basawan Park Lane, Boring Canal Road, Patna - 800001 through one of its directors, namely Dilip Kumar, aged about 47 years, Male, Son of Late Kameshwar Prasad, Resident of Ashiayana Nagar, P.S. - Rajiv Nagar, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Secretary, Science and Technology Department, Government of Bihar, Technology Bhawan, Bailey Road, Patna.
2. The Secretary, Science and Technology Department, Government of Bihar, Technology Bhawan, Bailey Road, Patna.
3. The Joint Secretary, Science and Technology Department, Government of Bihar, Technology Bhawan, Bailey Road, Patna.
4. The Director, Science and Technology Department, Government of Bihar, Technology Bhawan, Bailey Road, Patna.
5. The Project Director, Bihar Council of Science & Technology, Planetarium, Baily Road, Planetarium, Bailey Road, Patna.
6. The Officer - in - Charge, Bihar Remote Sensing Application Centre, Planetarium, Adalatganj, Bailey Road, Patna - 800001.
7. M/s Diamond Infotech Pvt. Ltd., Mezzanine Floor, Room No. 16, Martin Burn, 1, R.N. Mukherjee Road, Lal Bazar, Kolkata, West Bengal - 700001.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Ms.Parul Prasad, Advocate Mr.Mohit Agarwal, Advocate Ms.Ananya Maitin, Advocate
For the Respondent/s	:	Mr.Kameshwar Prasad Gupta GP10 Mr.Satya Vrat, AC to GP10

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 18-05-2022 Petitioner has prayed for the following relief(s):-

“(i) For quashing the Contract No. GEMC-511687704527657 dated 03.03.2022 awarded to the



Respondent No. 7, M/s Diamond Infotech Private Limited (Respondent No. 7) for the work of Upgradation And Establishment of New Laboratories Of Bihar Remote Sensing Application Centre by the Respondent Department as the Respondent No. 7 did not qualify the Technical Bid as required in the bid document bearing Bid No. GEM/2021/B/1584611 dated 22.10.2021;

(ii) For a declaration that once the Respondent No. 7 is held to be disqualified in the technical bid, then it could not have been allowed to participate in the financial bid in the reverse auction process;

(iii) For direction upon the Respondent Department to award the Contract in favor of the Petitioner Company as the same has qualified the technical bid and is the lowest bidder in the Bid in question floated by the Respondent Department as the Respondent No. 7 is disqualified in the Technical Bid itself, therefore, its rate has no value in the eyes of law and in maintaining the sanctity of the Bid;

(iv) For direction upon the Respondent's department not to disturb the execution of earlier contract awarded to the Petitioner Company, which are still in existence as the Petitioner apprehends such coercive steps for filing the present writ petition; And/or for any other relief or reliefs that the Petitioner company may be found entitled to in the facts and circumstances of the present case.”



Learned counsel for the petitioner seeks permission to withdraw the present petition for the same to have become infructuous.

Permission granted.

The instant petition stands disposed of as withdrawn.

Interlocutory Application(s), if any, stands disposed of.

(Sanjay Karol, CJ)

(Satyavrat Verma, J)

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