

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7366 of 2022

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Evanta Global Private Limited a Registered Company Incorporated Under the provision of the Companies Act, 1956 having its Registered Office at 15, 5th Floor, Chandi Vyapar Bhawan, Exhibition Road, Patna-800001 through its Director Sri rajiv Ranjan, Male aged about 42 Years, Son of Sri Krishna Chandra Singh, Resident of Mohalla-Mahatma Gandhi Nagar, Kanti Facrotty Road, P.S. Patrakar Nagar District-Patna-800020.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secreary, Health Department, Government of Bihar, Patna.
2. The State Health Society, a Registered Society Under the Societies Registration Act, 1860 having its registered Office at Pariwar Kalyan Bhawan, Sheikpura, Patna-800014 through its Executive Director.
3. The Executive Director, The State Health Society, having its Registered Office at Pariwar Kalyan Bhawan, Sheikpura, Patna-800014.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Statyabir Bharti, Advocate
Ms.Prachi Pallavi, Advocate

For the Respondent/s 2 & 3: Mr. K.K. Sinha, Advocate
Mr. Sashi Shekhar, Advocate

For the State : Mr.Ajay Behari Sinha (GA-8)
Mr. Upendra Kumar Singh, AC to GA-8

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 21-06-2022

Heard learned counsel for the parties.

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

- (i) Issuance of an appropriate writ(s), order or direction, quashing the Notice Inviting Tender No. 01/SHSB/PPP(AMBULANCE)/2022-23 (hereinafter referred to as the “*impugned NIT*”), by which tenders

have been invited for selection of agency for operationalization and management of fleet of Ambulances & Mortuary Vans through integrated centralized Call Centre in the State of Bihar under Public Private Partnership Mode;

- (ii) To hold and declare that the eligibility criteria of the impugned NIT, marking system and the Quality and Cost Based Selection (QCBS) mode of selection adopted by the respondents for award of contract are in violation of the Bihar Financial Rules, 1950 and onerous, manifestly arbitrary, irrational, unrelated to the scope of work, tailor made to suit a particular intending tenderer/oust the petitioner and gives ample scope for favoritism in selecting a particular tenderer;

- (iii) To direct the respondents to issue a fresh NIT which is in accordance with Article 14 of the Constitution of India and provides a level playing field for all the intending bidders and which is unbiased, non-arbitrary and reasonable;

(iv) To pass such other order(s), direction(s) as your Lordships may deem fit and proper in the facts and circumstances of the case.

Learned counsel for the petitioner seeks permission to withdraw this petition.

Permission is granted.

This petition is disposed of as withdrawn.

(Sanjay Karol, CJ)

(S. Kumar, J)

Rajiv/veena-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	