

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13274 of 2021

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1. Kishan Kumar Mishra S/O Namon Narayan Mishra Director M/Willson Medical System Pvt. Ltd., Resident Off. - C/O - Proff. S.N. Sharma, Ashok Nagar, Road No. 1, Near Shila Bhawan, Kankarbagh, Patna, Sampatchak, Patna, Bihar - 800020.
 2. M/S Willson Medical System Pvt. Ltd., Director - Kishan Kumar Mishra, Official Address - Shiv Nath Bhawan, Near Rajendra Nagar Over Bridge, Kankarbagh, Patna, Bihar - 800020.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Chief Secretary, Patna, Bihar.
2. Department of Industries and Industrial Development, Govt. of Bihar, through its Principal Secretary.
3. The Department of Health, Govt. of Bihar, Through their Principal Secretary, Patna. Bihar.
4. The Director in Chief, Department of Health, Government of Bihar, Patna, Bihar.
5. The Chairman cum Managing Director, BMSICL (Bihar Medical Infrastructure Company Ltd.), Patna, Bihar.
6. The General Manager (Finance), Member, Secretary, Govt. of Bihar, Patna.
7. The General Manager, Procurement, BMSICL, Bihar Medical Service and Infrastructure Company Ltd, Patna, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Mayank Singh, Advocate
For the Respondent/s	:	Mr. Ajay Bihari Sinha, GA 8
	:	Mr. Suryakant Kumar, AC to GA 8

CORAM: HONOURABLE MR. JUSTICE RAJAN GUPTA
and
HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAJAN GUPTA)

2 22-02-2022 Heard the learned counsel for the petitioner and Sri

Ajay Bihari Sinha (GA 8) assisted by Sri Suryakant Kumar,

Advocate, learned counsel appearing for the respondents.

The only prayer made by the petitioner is that under



Rule 131 B of Bihar Financial (Amendment) Rules, 2005,

maximum of 7 % preference ought to have been given to the petitioner, being a Small Scale Units permanently located in the State of Bihar but the respondent- Bihar Medical Service and Infrastructure Company Limited has not done so while considering the bid of the petitioner. Thus, the learned counsel for the petitioner submits that his Unit may also be considered accordingly.

The learned State Counsel has got no objection and he submits that the competent authority may consider the case of the petitioner.

Accordingly, the writ petition stands disposed off with liberty to the petitioner to file a representation before the competent authority and in case, such a representation is filed, the same shall be considered and disposed off, within a period of two weeks of receipt of such representation, in accordance with law.

(Rajan Gupta, J)

(Mohit Kumar Shah, J)

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