

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9879 of 2016

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Kamladitya Contructions Pvt. Ltd. through its authorized signatory Abhay Kumar Mishra, son of Late Chandrama Mishra resident of Shankat Mochan nagar New Police Line, P.S.Nawada,District Bhojpur,Bihar

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Water Resources Department, Government of Bihar, Patna.
2. The Engineer in Chief North, Water Resources Department,Government of Bihar, Patna.
3. The Chief Engineer,Water Resources Department, Dehri,District Sasaram, Bihar.
4. The Chief Engineer,Planning and Monitoring Water Resources Department, Patna, Bihar.
5. The Superintending Engineer,Planning and Monitoring Circle III, Wate Resources Department, Patna, Bihar.
6. The Superintending Engineer, Sone Canal Modernization Circle Dehri,District Sasaram, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : None

For the Respondent/s : Smt. Namrata Mishra, Advocate

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

and

HONOURABLE MR. JUSTICE A. ABHISHEK REDDY

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

5 15-05-2023 None appears for the petitioner, so also, on 08.05.2023, there is no representation on behalf of the petitioner.

2. On 08.05.2023, the following order was passed.

“None appears for the petitioner.
Learned counsel for the respondents is hereby directed to produce material information insofar as paragraph No. 26 of the counter affidavit whether is it in the format under which the petitioner was required to disclose past events like termination of agreement of contract etc.

Re-list this matter on 15.05.2023.”



3. In the instant petition, petitioner has prayed for the following relief(s):-

“1. (i) Quashing of the Proceedings of the Departmental Technical Bid Evaluation Committee as communicated vide e-mail communication dated 21.05.2016 (Annexure 5) by which the Technical Bid of the petitioner firm has been rejected on the ground that the firm did not fulfill the terms and conditions of NIT; and

(ii) Direction upon the respondents to open the Financial Bid of the petitioner.”

4. Perusal of the records, the petitioner has failed to furnish material like existing commitments and ongoing works with reference to format para 1.4, the petitioner has left it blank as if there were no existing commitments and ongoing works. On the other hand, in Annexure-1 it is made clear in para 2 that the petitioner had certain ongoing projects. In other words, the petitioner had suppressed material information relating to existing commitments and ongoing works. Therefore, the petitioner has not made out a case, accordingly, present writ petition stands dismissed.

(P. B. Bajanthri, J)

(A. Abhishek Reddy , J)

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