

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5760 of 2024

Pratap and Brothers Enterprises, west of Aggarwal Petrol Pump, Balwatia Pokhara, P.S. - Babhua, District - Kaimur (Babhua) through its proprietor namely Uday Pratap Singh, Male, aged about 57 years, Son of Late Hirday Narayan Singh, Mirchawan, P.S. - Babhua, District- Kaimur (Bhabhua).

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Health, Government of Bihar, Patna.
2. Principal Secretary Department of Health, Government of Bihar Patna.
3. District Magistrate-cum-Collector, District - Lakhisarai.
4. Civil Surgeon, Lakhisarai District - Lakhisarai.
5. District Health Society, Chairman-cum District Magistrate, District - Lakhisarai.
6. Civil Surgeon-cum-Secretary, District Health Society, District - Lakhisarai.
7. M/s Pankaj Kumar through its proprietor namely not known address Vishwanath Nagar, Gali No. 3, Ward No. 23 District - Begusarai, Pin Code-851101.
8. Manglam Planner and Construction Pvt. Dhorani Tola through its partner not known address Dhorani Tola, Mokama ward No. 16, 803302.

... .. Respondents

Appearance :

For the Petitioner/s	:	Mr. Sumit Singh, Advocate
For the Respondent/s	:	Mr. A.B. Sinha, GA-8

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 08-04-2024

The petitioner is before this Court contending that the rates quoted by respondents no. 7 and 8 are very unrealistic.

2. The petitioner's contention is that as per the NIT clause (B), the minimum expenditure for fuel per hour together with the human resources and other expenditure as also the



service tax had to be specified. The petitioner quoted a higher rate and hence it was not selected. Respondents no. 7 and 8 were selected having quoted a lesser rate. It is the contention of the petitioner that the rates are very unrealistic but, however, it is a tender and if accepted, the respondents no.7 and 8 would be obliged to carry out the work as per the rates quoted and if not, there could be penalty imposed on the said person as per the NIT.

3. It is not for this Court to decide as to whether the rates accepted by the authorities are realistic or not under Article 226.

4. The writ petition would stand dismissed.

(K. Vinod Chandran, CJ)

(Harish Kumar, J)

rohit/-

AFR/NAFR	NAFR
CAV DATE	NA
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