

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8195 of 2024

Prakash Power Engineering Works (Partnership Firm) Registration Number F167 Date of Registration 16/08/2021 Authorized Signatory Ravi Prakash Ravi age 34 years (M), S/o Shri Surendra Kumar, Partner of the said firm Office Address- Flat no. 401, Phase- ii, Jagmano Sri Garden, Rukanpura, P.O. B.V. College, Patna.

... .. Petitioner/s

Versus

1. The Government of Bihar, Through Principal Secretary, Energy Department, Patna Secretariat Patna.
2. Managing Director, Bihar State Hydroelectric Power Corporation Limited, (Under Bihar Government Enterprises) Address- 2nd Floor, Sone Bhawan, Birchand Patel Marg, Patna 800001.
3. Chief Engineer Bihar State Hydroelectric Power Corporation Limited, (Under Bihar Government Enterprises) Address- 2nd Floor, Sone Bhawan, Birchand Patel Marg, Patna 800001.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Arun Kumar Sinha, Advocate Ms. Satakshi Sinha, Advocate
For the Respondent/s	:	Mr. Madanjeet Kumar, GP-20
For the Respondent No. 2&3	:	Mr. Mritunjay Kumar, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 27-06-2024 The petitioner was specifically directed to implead the successful bidder. However, the petitioner has not impleaded the successful bidder.

2. The case of the petitioner is that despite the petitioner having the experience as prescribed under the Notice Inviting Tender (NIT), they were disqualified in the technical bid. The petitioner's Counsel specifically points to the NIT and speaks of bidders having minimum experience of three



years in operation and maintenance of Small Hydro Projects being entitled. The experience certificates are produced as Annexure-5 series.

3. Learned Counsel appearing for the third respondents submits that the experience certificate has been issued by the project in-charge without noticing that the only experience was for supply of manpower and not for maintenance of the Hydro Electric Project. It is stated that they are proposing disciplinary action against the said person.

4. On 15.05.2024, the learned Counsel for the petitioner sought time to implead the successful bidder. Today, it is submitted that it will only complicate the writ petition. This would necessarily lead to non-joinder of necessary parties.

5. We find absolutely no reason to entertain the writ petition and dismiss the same.

(K. Vinod Chandran, CJ)

(Harish Kumar, J)

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