

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13255 of 2024

Lakshaman Kumar Son of Vishwanath Yadav, Resident of Ward No. 1 Village and P.O. Marukhiya, P.S. Khajauli, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Food and Civil Supply Department, Bihar, Patna.
2. The General Manager Public Distribution Bihar, Patna.
3. The Managing Director Bihar State Food and Civil Supply Corporation Ltd., Patna.
4. The Deputy Secretary Department of Transport, Bihar, Patna.
5. The Joint Commissioner Cum Secretary Regional Transport Tribunal, Darbhanga.
6. The District Magistrate cum Chairman, District Transport Committee, Madhubani.
7. The District Manager State Food Corporation, Madhubani.
8. The Deputy Development Commissioner, Madhubani.
9. The District Transport Officer, Madhubani.
10. The District Transport committee, through its Chairman, Madhubani.
11. The District Education Officer-cum District Program Officer, Madhubani, (P.M. Poshan Scheme).

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Ravi Prakash, Advocate Mr. Gagandeep Yadav, Advocate Mr. Ravi Prakash, Advocate Mr. Udeshya Kr. Yadav, Advocate
For the Respondent/s	:	Mr. Government Pleader 27
For BSFSC	:	Mr. Anjani Kumar Singh, Sr. Advocate Mr. Shailender Singh, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 26-09-2024 The petitioner is a bidder who was disqualified in the technical bid. The petitioner was disqualified, since the



petitioner's experience certificate did not show the quantum of the work which he had executed.

2. The learned Counsel for the petitioner specifically pointed to Clause 8 of the qualification, conditions for tenderer, in which experience of transportation of fertilizer, food grains, cement, sugar, coarse grains or similar products alone were mentioned. It is hence, the petitioner had submitted an experience certificate without the quantum of the work executed.

3. The learned Senior Counsel appearing for the respondent-Corporation, however, specifically points to Clause 7(ii) of the N.I.T which specifies the documents required for the technical bid which is extracted here-under:-

“7(ii) Tenderer should have executed in the immediately proceeding three years' working of value.

a. At least 75 lacs in the three preceding financial F.Y. in a single contract:

OR.

b At least 1.5 crores in the three preceding financial year combining different contracts.”

4. While submitting the experience certificate, Clause-7(ii) has to be read with Clause-8 and it is a specific condition that the document with respect to the quantum of the work



executed should be specified along with the bid documents.

5. We find no reason to interfere with the disqualification of the petitioner in the technical bid.

6. The writ petition stands dismissed in limine.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

Harsh/-

U			
---	--	--	--

