

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15025 of 2024

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Gopal Kumar S/o Kedar Prasad Sharma R/o Village Walipur, P.O.- Walipur,
P.S.- Pipariya, District- Lakhisarai, Bihar- 811311.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Additional Chief Secretary, Rural Works Department, Government of Bihar.
2. The Engineer-in-Chief-cum-Additional Commissioner-cum-Special Secretary, Rural Works Department, Government of Bihar.
3. The Chief Engineer-3, Rural Works Department, Government of Bihar.
4. The Secretary to the Engineer-in-Chief, Provisional, Rural Works Department, Government of Bihar.
5. The Nodal Officer, MMGSUY, Rural Works Department, Government of Bihar.
6. The Superintending Engineer, Rural Works Department, Work Zone, Begusarai, Bihar.
7. The Executive Engineer, Work Division- Ballia, District- Begusarai, Bihar.
8. M/s Astha and Saumya Construction, Address- P.O.- Bhairwar, Begusarai, Bihar.
9. Nishant Kumar R/o Pachmahla Jalalpur, Via-Barahiya, P.S. Maranchi, Patna, Bihar-811302.
10. Sanjeev Kumar Address- Laldarwaja, P.O. Munger, District- Munger, Bihar- 811201.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Kumar Shanu, Advocate
For the Respondent/s : Mr. Additional Advocate General (4)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 03-10-2024 The petitioner bidder in the NIT of Serial no.12 work as seen from Annexure-P1, is before us claiming that his technical bid once qualified was later disqualified.

2. Learned counsel refers to Annexure P3 to show that



he was once qualified but again the Technical Bid Committee took up the matter by Annexure P4 and he was disqualified. It was submitted that he was disqualified only for the reason that he had not filed an undertaking giving access to the respondent tendering authority, to get the details from the bank about his accounts. The learned counsel specifically refers to the affidavit produced at Annexure P5 to contend that such affidavit, in fact was uploaded along with the bid documents.

3. However, we find that there is also one confusion with respect to a technical person; Subodh Kumar having been proffered by two bidders one of whom was the petitioner herein. We see from Annexure-P4 that Subhod Kumar the technical person had filed an affidavit clearly indicating that he was not serving the petitioner and was in service with another bidder.

4. In the above circumstances, we find no reason to interfere with the disqualification made.

5. The writ petition stands dismissed.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

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