

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17781 of 2024

M/s Kalyani Construction through its Managing Partner Virendra Pratap Singh @ Virendra Singh Pratap, aged about 45 years, (Male) Son of Late Sheo Shankar Singh, Resident of New Area, Bisar Tank, P.S. - Civil Line, District - Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through its Additional Chief Secretary Rural Work Development, Bihar, Patna.
2. Additional Chief Secretary, Rural Work Department, Bihar, Patna.
3. The Engineer-in-Chief, Rural Work Department, Bihar, Patna.
4. The Chief Engineer-2, Rural Work Department, Bihar.
5. The Superintending Engineer, Work Division, Gaya Rural Work Department.
6. The Executive Engineer, Rural Work Division, Sherghati.
7. The Trikuta Vashni Infratech Pvt. Ltd. through its Director Santosh Kumar Pandey, Resident of Village- Nawadih, P.S. Karakat, District- Rohtas having its office of B-Bhattacharya Road, Patel Nagar, Board Colony, Patna Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Priya Ranjan, Advocate Mr. Sanjeev Kumar, Advocate
For the State	:	Mr. Ajay Behari Sinha, GA-8 Mr. Suryakant Kumar, AC to GA-8
For the Resp. No.7	:	Mr. P. N. Shahi, Sr. Advocate Mr. Amrendra Narayan Rai, Advocate Mr. Amit Anand, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 26-11-2024

The petitioner is concerned with the disqualification, as per Annexure-P/2. The disqualification of the petitioner's tender, as is available from Annexure-P/2, is for reason of an 'Authority to seek references from the bidder's bankers', having



not been submitted as is required under the Model Bidding Document.

2. The Model Bidding Document has not been produced, but one has been handed over to us across the Bar, which indicate that Clause-4 requires all the bidders to include information and documents with their bids and by Clause 4.2(h), the Authority, to seek references to the bidder's bankers is also to be furnished.

3. It is the submission of the learned Counsel for the petitioner that the petitioner has asserted in the writ petition that the said ground is false, since the petitioner had made this undertaking in his letterhead which is mentioned at page No.336 of the bid documents. However, the bid document or even the extract of page No.336, which is said to be an Authority in the letterhead, has not been produced before this Court. In such circumstances, we find absolutely no reason to entertain the claim of the petitioner against his disqualification.

4. The petitioner has one other contention that the 7th respondent was wrongly qualified.

5. The learned Counsel appearing for the respondent authority and the 7th respondent submits that the bid has already been awarded to the 7th respondent on 12.11.2024.



6. Having found the petitioner’s disqualification to be proper, we are of the opinion that there is no reason to consider the contention that the 7th respondent; the successful bidder’s qualification was wrong.

7. In the above circumstances, we dismiss the writ petition.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

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AFR/NAFR	
CAV DATE	N/A
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Transmission Date	N/A

