

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18705 of 2024

M/s Aim of People (Society) having its registered office at Madhav Nagar Road No. 4, Jehanabad (Bihar), Pin-804408, represented through its Managing Director namely Satyendra Kumar (male), aged about 59 years, Son of Late Bharosha Sharma, resident of Madhav Nagar Colony, P.O. and P.S.-Jehanabad, District-Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Urban Development and Housing, Government of Bihar, Patna.
2. The Principal Secretary, Department of Urban Development and Housing, Government of Bihar, Patna.
3. The Secretary, Department of Urban Development and Housing, Government of Bihar, Patna.
4. The Nagar Panchayat Rajauli through Executive Officer, Nagar Panchayat at Rajauli, Bihar, Rajauli.
5. The Executive Officer, Nagar Panchayat Rajauli, Bihar, Rajauli.
6. The District Magistrate, Nawada, Bihar, Nawada.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Ashish Giri, Advocate Mr. Sumit Kumar Jha, Advocate Ms. Riya Giri, Advocate
For the Respondent/s	:	Mr. P. K. Shahi, AG

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE NANI TAGIA
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 10-12-2024 The petitioner is concerned with the disqualification at the technical evaluation. The petitioner applied under Annexure-P/1 bid document issued by the Urban Development and Housing Department. The petitioner’s bid was disqualified, as per Annexure-P/3 with the following comment “ISO



certificate submitted by you is not valid. You have submitted expired ISO certificate.”

2. The learned Counsel for the petitioner specifically took us to the bid document and clause 6.6 therein and refers us to Annexure-P/2 series of documents produced, which, according to the learned Counsel, are certificates as required under the clause.

3. Learned Advocate General, however, from the recital in the certificate itself points out that there is regular surveillance audit conducted by the Global Certificate Services (for brevity ‘GCS’) and the certificate would be valid only with a continuation letter issued by the GCS, which is not uploaded in the present case.

4. Clause 6.6 of the bid document requires the bidder to upload a valid ISO certificate 9001:2015 and ISO 14001:2015. True, Annexure-P/2 series are the said certificates issued by the GCS. However, the recital in the said certificate itself indicate so *“the Validity of certificate is subject to regular surveillance audit on or before below mentioned dates and it’s only valid after successful surveillance with continuation letter issued by the GCS”* (sic).

5. The first surveillance audit, as is specified in the



certificate is on 01.01.2024. Hence for the certificates; produced at Annexure-P/2 series uploaded by the petitioner along with the bid document, to be valid, necessarily the continuation letter issued by the GCS after the surveillance audit on 01.01.2024 is essential. Annexure-P/3 comment on disqualification is not aptly worded since, it is stated that the expired ISO certificate has been uploaded. However, the fact remains that the certificate produced as Annexure-P/2 series after 01.01.2024 can only be treated as valid, if there is a continuation letter issued by the GCS.

5. In the above circumstances we find absolutely no reason to entertain the writ petition and the same stands dismissed in *limine*.

(K. Vinod Chandran, CJ)

(Nani Tagia, J)

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