IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P.(C) No. 5947 of 2024

Amar Kumar Rai, son of Madhushan Rai aged about 35 years, resident of Village- Harsinghraydih, P.O.- Budhiyadih, P.S.- Giridih (m), District- Giridih ... ... Petitioner

Versus

1. The State of Jharkhand through the Chief Secretary having its office at Project Building, P.O. + P.S.- Dhurwa, District- Ranchi
2. The Secretary, Urban Development and Housing Department, Govt. of Jharkhand, Ranchi, having its office, Dhurwa, P.O. and P.S. Dhurwa, District- Ranchi
3. The Municipal Commissioner, Giridih Municipal Corporation, J.P. Chowk, Tower Chowk, P.O. and P.S.- Giridih, District- Giridih
4. The Deputy Municipal Commissioner Giridih Municipal Corporation, J.P. Chowk, Tower Chowk, P.O. and P.S.- Giridih, District- Giridih, Jharkhand
5. The Administrator, Giridih Municipal Corporation, J.P. Chowk, Tower Chowk, P.O.- Giridih, P.S.- Giridih, District- Giridih, Jharkhand
6. The Executive Engineer, Giridih Municipal Corporation, J.P. Chowk, Tower Chowk, P.O.- Giridih, P.S.- Giridih, District- Giridih, Jharkhand
7. The Assistant Engineer, Giridih Municipal Corporation, J.P. Chowk, Tower Chowk, P.O.- Giridih, P.S.- Giridih, District- Giridih, Jharkhand
8. The Junior Engineer, Giridih Municipal Corporation, J.P. Chowk, Tower Chowk, P.O.- Giridih, P.S.- Giridih, District- Giridih, Jharkhand
9. The Executive Engineer, Road Division Giridih having its office at Giridih, P.O. + P.S.- Giridih, District- Giridih
10. The Executive Engineer, Building Division, Giridih having its office at Giridih, P.O. + P.S.- Giridih, District- Giridih.
11. The Executive Engineer, Drinking Water and Sanitation Division, Giridih having its office at Giridih, P.O. + P.S. Giridih, District- Giridih.
12. The Executive Engineer, National Rural Employment Program, Giridih having its office at Giridih, P.O. + P.S. Giridih, District- Giridih.
13. The Accounts Officer, Giridih having its office at Giridih, P.O. + P.S. Giridih, District- Giridih. … ... Respondents

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CORAM: HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE DEEPAK ROSHAN

For the Petitioner: Mr. Prashant Kumar Rai , Advocate
Mr. Deepak Kumar Singh, Advocate
For Res. Nos. 1, 2, 6 to9: Mr. Mohan Kr. Dubey, AC to AG
For Res. Nos. 3,4, & 5 : Mr. Shadab Bin Haque, Advocate

02/Dated: 17.12.2024

1) Heard the counsel for the parties.

2) Admittedly as per the tender conditions clause 14(2) submission of GST clearance certificate for the month of October 2023 is mandatory and the petitioner did not submit the same along with his tender. Thus, the petitioner's tender, without submission of the said document, could not have been treated as a valid tender by the respondents.

3) Even if the petitioner was found to be technically qualified and even if his bid was the lowest bid, since the petitioner had not submitted the requisite document i.e. the GST clearance certificate for the month of October 2023, he is not entitled to the relief of quashing of the decision dated 13.06.2024 rejecting his tender.

4) Therefore, the writ petition is dismissed. No costs.

(M.S. Ramachandra Rao, C.J.)

(Deepak Roshan, J.)

Sharda/MM/Cp.1