

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3842 of 2025

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Gomatee Infrastructure through its Proprietor Renu Devi, Female, aged about 55 years, Wife of Shyam Dev Sah, Resident of Dholbajja, Ward No. 04, P.S. Forbesganj, District Araria, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Chief Secretary, Rural Works Department, Government of Bihar, Patna.
2. The Engineer In-Chief, Rural Works Department, Government of Bihar, Patna.
3. The Chief Engineer -4, Rural Works Department, Government of Bihar, Patna.
4. The Superintending Engineer, Rural Works Department, Works Circle Kishanganj, Bihar.
5. The Executive Engineer, Rural Works Department, Works Division Forbesganj, District Araria, Bihar.
6. The Member Secretary cum Executive Engineer, Rural Works Department, Works Division, Araria, District Araria, Bihar.
7. The Pawat Construction Pvt. Ltd. having its registered office at Maulabagh, Ara, P.O. and P S Nawada, District Bhojpur through its Director Bijay Kumar Yadav

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Prabhat Ranjan, Advocate

For the Respondent/s : Mr. Anjani Kumar, AAG-4

Mr. Alok Kumar Rahi, AC to AAG-4

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

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)



Date : 14-05-2025

Heard Mr. Prabhat Ranjan, learned Advocate for the petitioner and Mr. Anjani Kumar, learned AAG-4 for the State.

2. The petitioner has challenged the decision of the Technical Bid Evaluation Committee (for brevity 'the Committee'), whereby even when it was pointed out by the petitioner that Respondent No. 7 had not complied with the bid conditions, Respondent No. 7 has been declared to be technically responsive.

3. It appears from the arguments as also the records of this case that eight of the bidders were found to be technically responsive and their financial bids were to be opened later. Before that, an objection was lodged by the petitioner against all other bidders on various grounds. Based on the objection lodged by the petitioner, the Committee re-evaluated the bids of the participants and found some of them to be technically un-responsive, whereas others, including the petitioner, were found to be responsive.

4. The petitioner has made a special mention of



Respondent No. 7 was, even in re-evaluation held to be responsive.

5. The petitioner submits that no reason has been assigned for that decision despite specific objection against the Respondent No. 7 of not having annexed the audit report of preceding five years.

6. We find the averments in the writ petition to be lacking in two respects. The tender document specifying the requirements which a bidder has to fulfill, has not been brought on record and the intent of the petitioner to eliminate competition by making objection against rest all bidders appears to be very stark.

7. The petitioner became successful in getting the names of few of the bidders put in the list of technically unresponsive bidders, but then, we are firmly of the view that this forum is not to be used for eliminating competition and subserving the own interest of one of the bidders.

8. In any view of the matter, since it has not been brought on record as to which condition was not complied with by Respondent No. 7, we refuse to interfere with the decision making in the re-evaluation by the Committee.



9. The writ petition is dismissed.

(Ashutosh Kumar, ACJ)

(Partha Sarthy, J)

Sujit/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	15.05.2025
Transmission Date	NA

