

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6259 of 2025

Microcare Computers Pvt. Ltd. through its Manager (Accounts) namely Mamidi Venkata Vara Prasad Male, aged about 62 years S/o Late Mamidi Veera Bhadra Rao resident of 8-3-231/W/27/301, Ratna Deepika Apts Road No. 2, Jubli Hills Yousufguda Hyderabad, Andhra Pradesh-500045 (Telangana), having its registered office at 105, Ratna Complex, Ameerpet, Hyderabad, Telangana--500073, India

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, old Secretariat Patna.
2. The Addl. Chief Secretary, Education Department, Bihar.
3. The Secretary, Department of Education, Govt. of Bihar.
4. The Bihar Education Project Council, through State Project Director, Shiksha Bhawan, Rashtrabhasa Parishad Parishar, Rajendra Nagar Patna-800004.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Rama Kant Sharma, Sr. Advocate Mr. Ravindra Kumar Shukla, Advocate
For the State	:	Mr. P.K. Shahi, AG
For BEPC	:	Mr. Girigesk Kumar, Advocate

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

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

5 12-05-2025 This case has been taken out of turn on the insistence of Mr. Ravindra Kumar Shukla, the Advocate on record, who mentioned in the morning that this case is very urgent.

2. On a plain reading of the brief, there does not appear to be any urgency.



3. Nonetheless, we find that this writ petition can be disposed off without calling for the response of respondent No. 4.

4. It appears that Bihar Education Project Council (BEPC), an autonomous body under the Department of Education, Government of Bihar had published RFP on 13.12.2024 for procurement, supply and installation of tablets for Teacher Resource Package on Gem Portal. Six bidders had participated in the bid including the petitioner, out of whom five were declared to be technically qualified. In the financial bid, the petitioner's financial offer was found to be lowest and a Letter of Acceptance was released in his favour for supply of 50% of the quantity of tablets (80,569 tablets). However simultaneously, the purchase committee of the BEPC decided to seek consent from other bidders for matching the price quoted by the petitioner. L-2 and L-3 bidders gave their consent for supplying the tablets at the same price as quoted by the petitioner(L-1). The



purchase committee, thereafter on 24.01.2025, took a decision of giving LOA for 50% of the quantity to the petitioner, 30% of the quantity to the L-2 bidder and 20% of the quantity to L-3 bidder. All the three bidders including the petitioner were asked to give their demonstrations. But, by order dated 25.02.2025, passed by the State Project Director, BEPC, the tender was cancelled.

5. We find that on the representation of the petitioner, L-2 and L-3 bidders, the matter was taken up by the Additional Secretary, who directed the Secretary, Education to review the order of cancellation and submit a report. A report appears to have been submitted, finding fault with the decision making of cancelling the tender and asking the authorities to restore the tender under which the petitioner, L-2 and L-3 bidders have been given Letter of Acceptance for supply of the respective number of tablets.

6. This, therefore, leaves the petitioner with no



lis to agitate before this Court.

7. All that the petitioner can expect from the Court is for a direction to the authorities to decide the matter without any delay.

8. This Court expects that a decision in that regard for or against shall be taken at the earliest without any wastage of time.

9. With the aforementioned observation, the writ petition stands disposed off.

(Ashutosh Kumar, ACJ)

(Partha Sarthy, J)

Rajesh/Bibhash

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