

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18041 of 2024

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Pawan Kumar Choubey Son of Ganesh Choubey, Resident of Near Gurudawara Laxmipur, Gurubazar,, P.S.- Barari, District- Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Public Health Engineering Department, Govt. of Bihar, Bihar.
2. The Engineer-in-Chief -cum- Special Secretary, Public Health Engineering Department, Govt. of Bihar, Bihar.
3. The Chief Engineer, PH Zone, Bhagalpur.
4. The Superintending Engineer, PH Circle, Bhagalpur.
5. The Executive Engineer, PH Division, Bhagalpur West.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar Singh, Advocate Mr. Dhananjay Kumar Tiwary, Advocate
For the Respondent/s	:	Mr. Anjani Kumar, Addl. Advocate General (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 : 18-01-2025

Heard Mr. Rajesh Kumar Singh, the learned Senior Advocate for the petitioner and Mr. Anjani Kumar, learned Additional Advocate General-4.

2. The sole contention of the petitioner is that despite his documents having been evaluated in the Technical Bid, he was not informed the reasons for his being held technically unresponsive.

3. It appears from the records that in the Notice Inviting Tender floated by the respondents, the petitioner had participated and was adjudged the sole technically responsive bidder. For this reason, viz single bidder in the fray, the tender had to be withdrawn. Later again, in the re-tender, the petitioner participated and was not found to be technically responsive.

4. The contention of Mr. Rajesh Kumar Singh, learned Senior Advocate is that if within time, reasons would have been made known to him about the objection of the Technical Bid Evaluation Committee about his Bank Guarantee not matching the requirements under the NIT, he could have offered some explanation.

5. The grievance is genuine.

6. Nonetheless, the learned Additional Advocate General-4 has pointed out that in the tender in which the petitioner had participated, there was another participant and the bank guarantee of both the participants were found to be not matching the

requirements. There cannot be any gainsaying that the participants were required to be intimated about the reason for non-acceptance of their technical bid.

7. Nonetheless, since that tender could not muster necessary number of participants who were found to be technically responsive, that also was withdrawn. In this situation, the petitioner has not been put to any serious loss with the option to him to participate again if tender is floated remaining intact.

8. We are therefore of the view that no interference is required in this matter presently.

9. The writ petition is dismissed.

(Ashutosh Kumar, ACJ)

(Partha Sarthy, J)

aditya/krishna

AFR/NAFR	NAFR
CAV DATE	NA
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