

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19719 of 2025

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M/s Anirudh Sarswati Construction a Partnership Firm, having its Office At Azad Nagar (Sarswati Sadan), Ward No. 09, Madhepura, Bihar- 852113, through its Partner, namely, Arvind Kumar, aged about 56 years (Male), Son of Anirudh Prasad Yadav, Resident of Village- Sahugadh-2 Bhatu Tola, Ward No. 7, Madhepura, P.O. and P.S. and District- Madhepura, Bihar-852113.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Rural Works Department, Government of Bihar, 5th Floor, Visvesvaraya Bhawan, Nehru Path, Patna, Bihar 800015.
2. The Additional Chief Secretary, Rural Works Department, Government of Bihar, 5th Floor, Visvesvaraya Bhawan, Nehru Path, Patna, Bihar 800015.
3. The Engineer-in-Chief-cum-Additional Commissioner- cum- Special Secretary, Rural Works Department, Government of Bihar, 5th Floor, Visvesvaraya Bhawan, Nehru Path, Patna, Bihar 800015.
4. The Chief Engineer-4 (Purnea) Rural Works Department, Government of Bihar.
5. The Superintending Engineer, Work Circle Madhepura, Rural Works Department, Government of Bihar.
6. The Executive Engineer, Work Circle Madhepura, Rural Works Department, Government of Bihar.
7. The Nodal Officer, Mukhya Mantri Gramin Sadak Unnayan Yojana, Rural Works Department, Government of Bihar.
8. M/s R.K. Construction (Bid ID-625036), Plot No. 9, Bhuiyadih, P.O.- Agrico, P.S.-Sitaramdera Jamshedpur Jharkhand - 831009 through its Proprietor, namely, Rajender Shangari, son of Late Jagdish Shangari

... .. Respondent/s

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Appearance :

For the Petitioner/s : Ms. Shrishti Singh, Advocate

Mr. Parnav Kumar, Advocate

Mr. Saurabh Sundar, Advocate



For the Respondent/s : Mr. P.K. Shahi, A.G,

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

2 24-12-2025 Heard learned counsel for the parties.

2. Following is the relief sought for in the present writ application:-

“(i) To issue an appropriate writ, order, direction in the nature of certiorari for quashing the financial bid decision/result, dated 28.11.2025 in relation to NIT No. RRSMP-11/2025-26 of the Rural Works Department, Government of Bihar, to the extent that the private respondent no. 8, namely, M/s R.K. Construction has been declared as L1 on the basis of incorrect technical bid qualification (Annexure-P/5, Pg.49).

(ii) To issue an appropriate writ, order, direction in the nature of mandamus commanding the respondents to revise the financial bid and accordingly, declare the petitioner as 1.1, as according to the financial bid decision dated 28.11.2025, the petitioner is 1.2 but the private respondent no. 8, namely, M/s R.K. Construction has been wrongly declared as technically qualified and consequently, as L1.

(iii) To issue an appropriate writ, order, direction in the nature of certiorari for quashing the revised technical bid decision dated 25.11.2025 published through memo no. 3995 dated 28.11.2025 in relation to NIT No. RRSMP-11/2025-26 of the Rural Works Department, Government of Bihar, to



the extent that the respondent no. 8 has been once again, declared as technically qualified (Annexure-P/4, Pg.44).

(iv) To issue an appropriate writ, order, direction in the nature of certiorari for quashing the technical bid decision dated 08.09.2025 published through memo no. 3338 dated 09.09.2025 in relation to NIT No. RRSMP-11/2025-26 of the Rural Works Department, Government of Bihar, to the extent that the respondent no. 8 has been declared as technically qualified. (Annexure-P/2, Pg. 41).

(v) To issue an appropriate writ, order, direction in the nature of certiorari for quashing any consequential action taken pursuant to the impugned decision, including quashing of any letter of award, agreements entered with third party, if any.

(vi) To any other relief or reliefs for which the petitioner is found to be entitled to in the facts and circumstances of the case.”

3. In respect of the grievance as raised in the present writ application, it is noted that the petitioner has already made a representation *vide* Annexure-P/6 before Respondent No. 3.

4. Respondent No. 3 is directed to consider and decide the said representation in accordance with law, after giving due opportunity of hearing to all the stakeholders, preferably within a period 10 days from the date of receipt/production of a copy of this order.

5. With the aforesaid direction, the present writ applications stands disposed of.



6. Pending application(s), if any, shall also stand disposed of.

(Sudhir Singh, ACJ)

(Rajesh Kumar Verma, J)

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