

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1708 of 2026

M/s. EMS Ltd. having its registered office at C-88, RDC, Raj Nagar, Ghaziabad, Uttar Pradesh through its authorized signatory, namely, Satish Kumar Styarthy, male, aged about 34 years, S/o Ram Kumar, R/o Mohanpur, P.O. Mohanpur, P.S. Bidupur, District- Vaishali, Bihar.

... .. Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Main Secretariat, Patna.
2. Bihar Urban Infrastructure Development Corporation Ltd., through its Managing Director, Bihar Urban Infrastructure, Development Corporation Ltd., Patna.
3. The Managing Director, Bihar Urban Infrastructure Development Corporation Ltd., Patna.
4. General Manager (Finance), Bihar Urban Infrastructure Development Corporation Ltd., Patna.
5. Chief General Manager, South Bihar Sub-Division, Bihar Urban Infrastructure Development Corporation Ltd., Patna.
6. General Manager, South Bihar Sub-Division, Bihar Urban Infrastructure Development Corporation Ltd., Patna.
7. Engineer-In-Chief, Urban Development and Housing Department, Patna.

... .. Respondents

Appearance :

For the Petitioner	:	Mr. Ratnesh Kumar, Advocate Mrs. Parul Prasad, Advocate Mr. Aditya Anand, Advocate
For the Respondents	:	Mr. Lalit Kishore, Sr. Advocate with Mr. Standing Counsel-9

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
and
HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE SUDHIR SINGH)

2 03-02-2026 The following reliefs have been sought in the present writ application:-

“(i) Quashing of the decision of the Tender Committee vide proceeding dated 06.01.2026 in Sasaram Sewerage Network and STP under



AMRUT 2.0 (corresponding to Notice Inviting Tender No. BUIDCO/YO-3256/2025- 28 dated 09.06.2025) by which without affording any opportunity of personal hearing, the technical bid of the Petitioner has been rejected on the ground of pendency of investigation being carried out by the Enforcement Directorate (ED) and operation of the debarment order passed by the Project Director, Munger, Bihar Urban Infrastructure Development Corporation Limited (hereinafter referred to as BUIDCo) vide Letter No.07 dated 02.01.2026.

(ii) Direction upon the Respondent BUIDCo to reconsider the technical bid of the Petitioner in Sasaram Sewerage Network and STP under AMRUT 2.0 which has been rejected by the decision of the Tender Committee vide proceedings dated 06.01.2026 (corresponding to Notice Inviting Tender No. BUIDCO/YO-3256/2025-28 dated 09.06.2025).

(iii) Direction upon the respondents to declare M/s EMS Ltd., as technically qualified in connection with the bid submitted for the work of Sasaram Sewerage Network and STP under AMRUT 2.0 (corresponding to Notice Inviting Tender No. BUIDCO/YO-3256/ 2025- 28 dated 09.06.2025) and subsequently, open the financial bid and award the work to the Petitioner, if found successful.

(iv) Stay the operation of the decision of the Tender Committee vide proceeding dated 06.01.2026 (corresponding to Notice Inviting



Tender No. BUIDCO/YO-3256/ 2025- 28 dated 09.06.2025) during the pendency and or without the leave of this Hon'ble Court.

(v) Alternatively, direction upon the Respondents to declare the Petitioner to be provisionally successful in the technical bid in connection with the bid submitted for the work of Sasaram Sewerage Network and STP under AMRUT 2.0 (corresponding to Notice Inviting Tender No. BUIDCO/YO-3256/2025- 28 dated 09.06.2025) and subsequently, open the financial bid of the Petitioner and award the work subject to the decision in present writ petition.

(vi) And pass any other appropriate order(s) that this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case.”

2. For redressal of his grievance, the petitioner had submitted a representation vide Annexure ‘P/4’, before respondent No. 3, which is pending till date.

3. Considering the facts and circumstances of the case, respondent No.3 is directed to consider the representation of the petitioner and pass a reasoned and speaking order, in accordance with law after giving an opportunity of hearing to all the stakeholders preferably within a period of three weeks from the date of receipt/production of a copy of this order.



4. With the aforesaid observation, the writ application stands disposed of.

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

(Sudhir Singh, J)

(Rajesh Kumar Verma, J)

*Gaurav Kumar,
Ibrar/-*

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