

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4486 of 2025

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Aanahat Construction Pvt Ltd. having its Registered Office at Ward No. 11, Near-Devi Mandir, New Area, P.S.- New Area (Town), District Aurangabad (Bihar)-824101, through its Director, Ramashray Kumar Singh, Male, aged about 62 Years, Son of Damodra Prasad Singh, Resident of Ward No.11, Near- Devi Mandir, New Area, P.S.- New Area (Town) District-Aurangabad (Bihar)-824101.

... .. Petitioner

Versus

1. The State of Bihar, through the Principal Secretary, Rural Works Department, Government of Bihar, Patna.
2. The Engineer in Chief Additional Commissioner Cum Special Secretary, Rural Works Department, Government of Bihar, Patna.
3. The Chief Engineer-2, (Gaya), Rural Works Department, Gaya, Bihar.
4. The Nodal Officer, MR 304, Rural Works Department, Government of Bihar, Patna.

... .. Respondents

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Appearance :

For the Petitioner : Mr. Prabhat Ranjan, Advocate
For the Respondents : Mr. Government Pleader (05)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
and
HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE SUDHIR SINGH)

6 05-05-2026 Heard learned counsel for the petitioner and learned
counsel for the respondents.

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

*“1(i) Quashing of the proceedings/ decision of
the Re-Technical Bid Evaluation Committee
dated 21.02.2025 as contained in Memo No.
422 corresponding to Notice Inviting Tender
No. MR- 3054-06/2024-25 by which, during
re-evaluation, the Technical Bid of the
petitioner has been held to be non responsive*



and thus disqualified for want of proper Annual Turn Over (ATO) as required under Clause 4.4 (a) of the SBD:

(ii) Direction upon the Respondents to consider and pass reasoned/speaking order on the objection filed by the petitioner on 23.02.2025 against the rejection of the Technical Bid; and

(iii) Restraining the Respondents from proceeding further and finalizing the Tender process arising out of the Notice Inviting Tender No. MR-3054-06/2024-25 dated 05.11.2024 during the pendency of the present writ application and/or the without the leave of this Hon'ble Court."

3. The Technical Bid Committee vide its resolution dated 21.02.2025 (Annexure-P/3), had rejected the technical bid of the petitioner and sought for an explanation. The relevant part of the said resolution reads as follows:-

"इस निविदा में भाग लेने वाले निविदाकार आवश्यकतानुसार तकनीकी बीड समिति के निर्णय के विरुद्ध अपना अभ्यावेदन/परिवाद साक्ष्य एवं शपथ पत्र के साथ तकनीकी बीड की कार्यवाही अपलोड होने के पश्चात् 03 (तीन) कार्य दिवस तक ही समर्पित कर सकते हैं। 03 (तीन) कार्य दिवस समाप्त होने के पश्चात् किसी प्रकार के परिवाद/अभ्यावेदन पर विचार नहीं किया जाएगा।"

4. In pursuance thereof, the petitioner submitted a representation dated 23.02.2025, which was received by the concerned authority on 24.02.2025. The said representation, filed in response to Annexure-P/3, is still pending consideration.

5. Considering the fact that the said representation is



still pending before respondent no. 2, respondent no. 2 is directed to consider and dispose of the same by passing an appropriate order, in accordance with law, preferably within a period of eight weeks from the date of receipt/ production of a copy of this order, after affording due opportunity of personal hearing to the petitioner.

6. With the aforesaid observation and direction, the present writ application stands disposed of.

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

(Sudhir Singh, J)

(Shailendra Singh, J)

U.K./-B.K.S.

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