

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6978 of 2026

Rai Raj Construction Pvt. Ltd. having its Corporation Office at 601, 6th Floor, Lav Kush Tower, Exhibition Road, P.S. Gandhi Maidan, District Patna through its Director Baidya Nath Rai, aged about 53 years, Male, Son of Mahendra Rai, Resident of Flat No. 410, Ashiyana Plaza, Budha Marg, P.S. Kotwali, District Patna, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Road Construction Department, Government of Bihar, Patna.
2. The Engineer in Chief-Cum-Additional Commissioner cum Special Secretary, (Works Management), Road Construction Department, Government of Bihar, Patna.
3. The Chief Engineer (North), Road Construction Department, Government of Bihar, Patna.
4. The Executive Engineer, Road Construction Department, Road Division, Chhapra, District Saran, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Prabhat Ranjan, Adv.
For the Respondent/s :

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
and
HONOURABLE MR. JUSTICE RAJ KUMAR
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH)

3 29-06-2026 The present writ petition has been filed seeking the following reliefs:-

“(i) Quashing of the exparte decision of the Departmental Tender Committee as contained in Memo No. 2694 (E) dated 21.04.2026 (Annexure P/12) by which, after opening of the Financial Bid, in the absence of objection by any Bidder, without giving an option to submit clarification and modification, without issuing any Show Cause Notice and contrary to own administrative records, the Respondents have decided to;

(a) Reject the Technical Bid of the petitioner under Clause 4.8 of the Instruction to Bidders for having



furnished wrong information regarding the existing commitment.

(b) Cancel the tender process and direct the jurisdictional Chief Engineer to proceed for re-advertisement / fresh tender; and

(c) Initiate proceeding under Bihar Contractors Registration Rules, 2007 for the allegation of uploading wrong information along with the Bidding document.

(ii) Directing the respondents to proceed and finalize the tender process arising out of Notice Inviting Tender No NIT.03/2025 26 dated 23.07.2025; and

(iii) Restraining the respondents from proceeding further by giving to the decision of the Departmental Tender Committee as contained in Memo NO. 2694 (E) dated 21.04.2026 during the pendency of the present writ application and / or the without the leave of this Hon'ble Court."

2. At the outset, the learned counsel for the petitioner submits that the Executive Engineer, Road Construction Department, Road Division, Begusarai vide letter dated 10.04.2026, written to the Chief Engineer, North, Road Construction Department, Bihar, Patna has submitted a report pertaining to the existing commitment of the petitioner as has been mentioned therein, hence it is prayed that the same may be considered by the Departmental Tender Committee before passing any final order.

3. Having regard to the limited submission made by the learned counsel for the petitioner, we deem it fit and proper to dispose of the present petition with an observation that the report submitted by the Executive Engineer Road Construction



Department, Road Division, Begusarai vide letter dated 10.04.2026 may be considered by the competent authority before taking any decision with regard to the petitioner, if the same has not already been taken.

(Mohit Kumar Shah, J)

(Raj Kumar, J)

kanchan/-

U			
---	--	--	--

