

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10257 of 2025

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Maa Jwala Enterprises a sole proprietorship, having its Office At and P.O.-
Tiwari Tola, District- Saharsa (Bihar), Pin Code- 852201, through its sole
proprietor, namely Hari Shankar Jha, aged about 44 year (Male), Son of
Hemant Kumar Jha, Resident of Tiwari Tola, Ward No. 33, Nagar Parishad,
P.S. and District- Saharsa, Bihar.

... .. 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.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Y.V. Giri, Sr. Advocate Ms. Shrishti Singh, Advocate
For the State	:	Mr. P.K. Verma, Sr. Advocate(AAG-3) Mr. Sanjay Kumar Ghoswarey, AC to AAG-3

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

(Per: HONOURABLE MR. JUSTICE SUDHIR SINGH)

5 13-02-2026 Following are the reliefs sought for in the present
writ application:-

*“(i) To issue an appropriate writ, order,
direction in the nature of certiorari for quashing the
revised technical bid result dated 19.06.2025
uploaded by the Pradhan Mantri Gram Sadak
Yojana (PMGSY) in relation to tender of the Rural
Works Department, Government of Bihar, to the
extent that the technical bid of the petitioner has
been rejected, as indicated at serial no. 2 of the list*



(Annexure-P/8, Pg. 81).

(ii) To issue an appropriate writ, order, direction in the nature of certiorari for quashing the proceeding bearing memo no. 2348 dated 18.06.2025 of the technical bid tender committee to the extent that the representation of the petitioner against the objection raised has been rejected and the technical bid of the petitioner has been declared as ineligible/rejected in terms of clause 4.7(i) of the ITB to the CMBD (Annexure-P/M Pg. 12).

(iii) To issue an appropriate writ, order, direction in the nature of mandamus commanding the respondents to declare the petitioner as technically qualified.

(iv) 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 opening of financial bid and subsequent, agreements entered with third parties, if any.

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

2. A supplementary counter-affidavit has been filed on behalf of the Respondent No.3. Following statement has been made in Para-13 of the supplementary counter-affidavit:-

“13. That in such circumstances the present respondent department is intending to cancel the tender in question under clause-33 of the NIT with the leave of the Hon’ble Court.”

3. Learned counsel for the petitioner submits that, for



the present, he does not wish to press the present application, however, seeks liberty to pursue the same in case any contrary action is taken by the respondent.

4. Accordingly, the present writ application stands disposed of as not pressed with the aforesaid liberty.

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

(Sudhir Singh, J)

(Rajesh Kumar Verma, J)

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