

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9665 of 2026

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M/s Sri Ganesh Construction a registered Partnership Firm having its office at Village-Koreya Dixit, P.O.-Jagtauli, P.S.-Bhore, District-Gopalganj through its Partner Bittu Devi, Wife of Vijay Kumar Dikshit, aged about 40 years, Resident of Village-Koreya Dixit, P.O.-Jagtauli, P.S.-Bhore, District-Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
2. The Managing Director, Bihar Urban Infrastructure Development Corporation Ltd. (BUIDCO), Patna.
3. The Chief General Manager, Bihar Urban Infrastructure Development Corporation Ltd. (BUIDCO), Patna.
4. The Project Director, BUIDCO, Gopalganj.
5. The Tender Evaluation Committee through its Chairman, BUIDCO, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Kumar Harshvardhan, Advocate
For the State	:	Mr. S.D. Sanjay, Advocate General
		Mr. Mohit Agarwal, AC to AG
For the BUIDCO	:	Mr. Lalit Kishore, Sr. Advocate
		Mr. R.K. Priyadarshi, Advocate

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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)

3 28-07-2026 Heard learned counsel for the parties.



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

“(a) To issue an appropriate writ, order or direction including a writ in the nature of Certiorari for quashing the decision/recommendation dated 05.06.2026 passed by the Tender Evaluation Committee in connection with NIT No.11/2025-26/Gopalganj whereby adverse findings have been recorded against the petitioner and recommendations have been made for taking action against the petitioner and for not executing agreement under NIT No.06/2025-26/Gopalganj (Group-03).

(b) To issue an appropriate writ, order or direction including a writ in the nature of Certiorari for quashing Office Order/Memo No. 625 dated 18.06.2026 issued by the Project Director, BUIDCo, Siwan-Gopalganj, whereby NIT No. 06/2025-26, Group-03 has been cancelled despite the petitioner having already been declared the successful L-1 bidder and having been called upon to furnish Additional Performance Guarantee and Security Deposit for execution of the agreement;

(c) To issue a writ in the nature of Mandamus commanding the respondents to execute agreement and issue work order in favour of the petitioner under NIT No.06/2025-26/Gopalganj (Group-03) for which the petitioner has already been declared L-1 bidder.

(d) To issue an appropriate writ, order or direction including a writ in the nature of Certiorari for quashing the Re-Tender Notice No. 01/2026-27/Gopalganj dated 22.06.2026, in so far as it relates to the work covered under Group-03 of



the original NIT No. 06/2025-26/Gopalganj, being a consequential action founded upon the impugned recommendation dated 05.06.2026 and Office Order/Memo No. 625 dated 18.06.2026.

(e) To declare that neither the Notice Inviting Tender nor the Standard Bid Documents require disclosure of criminal antecedents, litigation history or pendency of criminal cases relating to each and every partner of a partnership concern and consequently the petitioner cannot be penalized on such ground.

(f) To declare that criminal proceedings allegedly pending against another partner of the firm cannot constitute suppression by the petitioner in absence of any specific disclosure requirement under the tender conditions.

(g) To restrain the respondents from taking any coercive, punitive or blacklisting action against the petitioner pursuant to the impugned recommendation.

(h) To pass any other order or orders for which the petitioner may be found entitled in the facts and circumstances of the case.”

3. Learned counsel for the respondents submits that, during the pendency of the present writ application, a fresh re-tender has already been issued vide Notice No. 01/2026-27/Gopalganj dated 22.06.2026.

4. Having regard to the aforesaid submission and considering that the respondents have already proceeded with a fresh tender process, this Court is of the considered view that no



effective relief can now be granted in the present writ application. Consequently, no further adjudication is called for.

5. Accordingly, the present writ application 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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