

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15453 of 2025

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New Hope AAS Consultants Pvt. Ltd. having its registered office at Flat No.-101, Sai Narayan Apartment, Opposite Piler No.-59, Khagaul Rupaspur Road, Hardaspura, Khagaul, Patna, Bihar-801503. Represented through its Director Nigam Bhardwaj (Male), S/o Ramkeshari Prasad Singh, aged about 51 years, resident of Flat No.-101, Sai Narayan Apartment, Opposite Piler No.-59, Khagaul Rupaspur Road, Hardaspura, Khagaul, Dist.-Patna, Bihar-801503.

... .. Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Old Secretariat, Patna.
2. The Principal Secretary, Planning and Development Department, Government of Bihar, Patna.
3. Chief Engineer, Planning and Development Department, Government of Bihar, Vishweswaraiya Bhawan, Bailey Road, Patna.
4. The Superintending Engineer, Local Area Engineering Organization, Work Circle-Gaya.
5. The Executive Engineer, Local Area Engineering Organization, Work Division-1 Nawada.
6. Technical Bid Evaluation Committee through its Chairman cum Superintending Engineer, Local Area Engineering Organization, Work Circle-Gaya.
7. Sanjay Kumar, father name not known to the petitioner, resident of Vill and Post-Siswan, Dist.-Nawada, Bihar.
8. Binod Kumar, S/o Late Ramawatar Singh, resident of -Patalpuri, Sital Bhawan, New Area, P.S.-Nawada, Dist.-Nawada, Bihar.

... .. Respondents

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Appearance :

For the Petitioner : Mr. Dhananjay Kumar, Advocate
For the State : Mr. Advocate General
For the Respondent Nos. 7 & 8 : Mr. Pranoy Kumar, Advocate.

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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)

6 23-02-2026 Heard learned counsel for the petitioner and learned
counsel for the respondents.



2. The following reliefs have been sought for by the petitioner in the present writ application:

“1(i) That an appropriate writ/s, order/s, direction/s in the nature of Certiorari be issued to quash the decisions of the Technical Bid Evaluation Committee contained in Memo No. 124 dated 31/01/2025 (Annexure-P/9) whereby and whereunder, technical bid of the petitioner has been declared disqualified.

(ii) That, an appropriate writ/s, order/s, direction/s in the nature of Certiorari to quash the subsequent decision of the Technical Bid Evaluation Committee contained in Memo No. 1087, dated 29/05/2025, as also Memo No. 1149 dated 04/06/2025 (Annexure-P/11 series), whereby an objection filed by the petitioner has been rejected by the Technical Bid Evaluation Committee and affirmed its earlier decision of disqualifying the petitioner from Technical Bid and decided to open Financial Bid.

(iii) That, an appropriate writ/s, order/s, direction/s in the nature of Certiorari to quash the decision of financial bid of Group-19 under NIT-03/2024, which has been opened by the respondents after decision of the Technical Bid Evaluation Committee dated 04/06/2025.



(iv) That an appropriate writ/s, order/s, direction/s in the nature of Mandamus; directing respondent authorities to declare the petitioner's bid as responsive, considering the facts placed before the respondent authorities, by the petitioner; through his representation dated 08/01/2025 (Annexure-P/8 series), as well the objection/complaint dated 09/02/2025.

(v) That for proper declaration that, clause 21(xiii) of the Notice Inviting Tender (hereinafter referred as NIT) speaks about the experience certificate, which is contrary to the policy decision of the Works Department of the Government, in order to facilitate the newly registered contractor, enabling them to participate in tender amounting to rupees upto 50 lakhs, without any experience certificate and for that a guidelines have been issued.

(vi) That an appropriate writ/s, order/s, direction/s in the nature of Mandamus; directing respondent authorities, more particularly to respondent no. 2, to make a detailed enquiry by an independent agency on the issue raised by the petitioner, with regard to select the only two responsive technical bids, to manage the tenders conveniently and even complaint against those bidders, the decision of the committee



is completely silent over the issue.

(vii) That any other relief/s for that petitioner is found entitled in law be granted to him.”

3. The agreement dated 02.01.2026 shall be marked as ‘X’ and made part of the record.

4. Learned counsel for the respondents-State submits that the LOA has already been issued in favour of respondent no. 8 on 12.07.2025 and, pursuant thereto, an agreement has been executed on 02.01.2026.

5. Considering the fact that the agreement has already been executed, the present writ application stands dismissed as having become infructuous.

6. The petitioner shall be at liberty to avail such other legal remedies as may be available to him.

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

(Sudhir Singh, J)

(Rajesh Kumar Verma, J)

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