

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15800 of 2025

=====

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, P.S.-Khagaul, Dist-Patna, Bihar-801503.

... .. Petitioner/s

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. Navin Kumar, Son of Braj Nandan Prasad, resident of Near Sikshak Sangh, New Area, Post and P.S. and Dist.-Nawada, Bihar.
8. Ramanuj Kumar, S/o Lal Narayan Singh, resident of New Area, Patalpuri, P.S.-Nawada Sadar, Dist.-Nawada, Bihar.
9. Maa Annapurni Construction Pvt. Ltd. having its office at Flat No.-101, Block-C, Opposite-Reliance Infocon, Khelari Heritage, Danapur, Patna 801503, represented through its Director Rajnikant Kumar.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Dhananjay Kumar, Advocate
For the State	:	Mr. Amish Kumar, AC to AG
For respondents 7&8	:	Mr. Pranay Kumar, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
and
HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE SUDHIR SINGH)



5 13-03-2026

Heard learned counsel for the parties.

2. The present writ application has been preferred by the petitioner seeking for the following relief(s) :

"(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.-646 dated 11/03/2025 (Annexure-P/9) whereby and where under, 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.-1393, dated 25/07/2025, (Annexure-P/11), 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-1, under NIT-03/2024, which has been opened by the respondents after decision of the Technical Bid Evaluation Committee dated 25/07/2025.

(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 made after the decision of the Technical Bid Evaluation Committee dated 11/03/2025.

(v) That for proper declaration that, clause 31 (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."

3. The agreement/ work order dated 02.02.2026 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. 9 on 19.08.2025 and, pursuant thereto, an agreement has been executed on 02.02.2026.

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)

(Sunil Dutta Mishra, J)

Rajesh/-

U			
---	--	--	--

