

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20665 of 2025

M/s Aditya Clinical System, a proprietorship firm, having its address at Office No. 209, Neelkanth Plaza, Bhatta Cross Road, Police Station - Paldi, District - Ahmedabad (Gujarat) through its proprietor Kalpeshkumar Kanaiyalal Thakker, male, aged 55 years, son of Kanaiyalal Thakker @ Kanaiyalal, resident of B/304, Sukrut-2, Suvidha Cross Road, Police Station Paldi, District -Ahmedabad (Gujarat)

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Health Department, Govt. of Bihar, Patna.
2. Bihar Medical Services and Infrastructure Corporation Limited through the Managing Director, Patna, Bihar
3. The General Manager (Procurement), Bihar Medical Services and Infrastructure Corporation Limited, Patna, Bihar
4. M/s Promea Therapeutics Pvt. Ltd., a private limited company having its office at Plot No. M4, Medical Device Park, Sultanpur, Ameenpur, Sangareddy Telangana, 502319

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Bindhyachal Singh, Senior Advocate Mr. Parijat Saurav, Advocate Mr. Ujjawal Kumar, Advocate
For the State	:	Mr. Manish Kumar, GP-4
For the BMSICL	:	Mr. Lalit Kishore, Sr. Advocate Mr. Vikash Kumar, Advocate

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

(Per: HONOURABLE MR. JUSTICE SUDHIR SINGH)

2 10-02-2026 Heard learned counsel for the parties.

2. Following reliefs are sought for in the present writ
application:

*“(a) For issuance of a writ in the nature of
mandamus or any other appropriate writ or*



order directing the respondent Bihar Medical Services and Infrastructure Corporation Limited to decide and dispose the objection of the petition submitted on 08/12/2025 to the fact that the respondent no. 4 M/s Promea Therapeutics Pvt. Ltd. is not fulfilling the eligibility condition of not fulfilling the eligibility condition contained in Paragraph 3(f) of the Notice Inviting Tender Ref No. BMSIC/MEDICALDEVICES/CONSUMABLE S/25-09 dated 17/07/2025 inasmuch as the respondent no. 4 is not having minimum three years old valid manufacturing / import license and is not having minimum three years of manufacturing / importing of the quoted three medical consumable items [requirement as per Paragraph 3(f) of the bid document of Notice Inviting Tender] and to re-assess the technical bid of the respondent no. 4 M/s Promea Therapeutics Pvt. Ltd. in light of the objection raised by the petitioner and to disqualify the respondent no. 4 M/s Promea



Therapeutics Pvt. Ltd. from the tender process.

(b) For issuance of a writ in the nature of mandamus or any other appropriate writ or order restraining the respondent Bihar Medical Services and Infrastructure Corporation Limited from opening the financial bid till the time decision is taken on the objection of the petitioner for disqualification of the respondent no. 4 M/s Promea Therapeutics Pvt. Ltd.

(c) During pendency of the writ petition, be pleased to stay the further proceedings related to the impugned Notice Inviting Tender Ref No. BMSIC/MEDICAL DEVICES/CONSUMABLES/25-09 dated 17/07/2025 issued by the respondent Bihar Medical Services and Infrastructure Corporation Limited.

(d) For any other relief(s) which your Lordships may deem fit and proper in the facts of the case.”



3. Vide Annexure P-5 dated 08.12.2025, a representation was submitted on behalf of the petitioner, raising objections against private respondent No. 4. However, the said representation is still pending consideration.

4. Considering the relief as sought for in the present application and the fact that the representation is still pending consideration, respondent No. 3 is directed to consider the same and pass an appropriate order in accordance with law, after giving an opportunity of hearing to all the stakeholders, within a period of four weeks from the date of receipt/production of a copy of this order.

5. With the aforesaid observation and direction, the present writ petition stands disposed of.

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

(Sudhir Singh, J)

(Rajesh Kumar Verma, J)

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