
(2008) 03 JH CK 0030
In the Jharkhand High Court

Pushpanjali Construction

APPELLANT

Vs

State of Jharkhand and Others

RESPONDENT

Date of Decision : 17-03-2008

Acts Referred:

Citation : (2008) 2 JCR 441

Hon'ble Judges : R.K. Merathia, J

Bench : Single Bench

Final Decision : Dismissed

Judgement

R.K. Merathia, J.—Heard the parties.

2. Mr. Ajit Kumar, appearing for the petitioner submitted that the entire tender process arising out of NIT No. 3 of 2007-08 vide advertisement dated 14.12.2007 (Annexure-1) for construction of road in the Rural Engineering Organisation (R.E.O. for short) Works Circle, Giridih be quashed, as the tender documents submitted by respondent No. 7 were not signed and sealed by the competent officer and, therefore, there has been big scam in the process.

3. On 10.3.2008 the concerned Chief Engineer was asked to bring the tender documents of petitioner and respondent No. 7.

4. Mr. Sumeet Gadodia, J.C. to Advocate General, appearing for the State, produced the copies of the tender documents of petitioner and respondent No. 7 to show that the tender documents were obtained by the parties from the office of the Chief Engineer and also from the office of the Executive Engineer. The petitioner purchased the tender documents from the office of the Chief Engineer whereas respondent No. 7 purchased the same from the office of the Executive Engineer. Even then the initial of the Executive Engineer is there on all the pages of the tender documents which were either sold from the office of the Chief Engineer or from the office of the Executive Engineer. He further submitted that thus the Executive Engineer had to put initials on about 24000 pages.

5. He also produced the documents of other parties who obtained documents from the office of the Executive Engineer, like respondent No. 7, to show that similar signature, seal and initials were there. He further referred to the resolution of the Tender Committee contained in paragraph 12 to show that such objection of the petitioner was considered and rejected as it was found to be baseless.

6. From the original records produced, it is clear that when the petitioner learnt at the time of opening of the price bid that respondent No. 7 was the lowest tenderer and that he was unsuccessful, he raised such frivolous objection, and then tried to abuse the process of the law by filing this writ petition.

7. Accordingly, this writ petition is dismissed" with nominal cost of Rs. 1,000/- to be deposited by the petitioner within two weeks with the Advocates Welfare Fund.