



**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.15031 of 2025**

M/s Pawan Construction a registered Government Contractor and Supplier, through its Partner Rajesh Kumar Tiwari @ Rajesh Tiwari, aged about 40 years, Son of Madan Tiwari, Resident of Village Maksudpur, P.O.- Sasamusa, P.S.- Uchakagaon, District- Gopalganj, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Rural Works Department, Govt. of Bihar, Patna.
2. The Chief Engineer-cum-Additional Commissioner-cum-Special Secretary, Rural Works Department, Govt. of Bihar, Patna.
3. The Chief Engineer, Rural Works Department, Bihar, Patna.
4. The Superintending Engineer, Rural Works Department, Work Zone, Siwan.
5. The Executive Engineer, Rural Works Department, Work Division Siwan-2.
6. The Nodal Officer, MMGSY, Rural Works Department, Patna

... .. Respondent/s

**Appearance :**

|                      |   |                                                                                            |
|----------------------|---|--------------------------------------------------------------------------------------------|
| For the Petitioner/s | : | Mr. Kumar Harshvardhan, Advocate<br>Mr. Shekhar Singh, Advocate<br>Mr. Rajvikant, Advocate |
| For the Respondent/s | : | Mr. Addl. Advocate General (13)                                                            |

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

**(Per: HONOURABLE MR. JUSTICE SUDHIR SINGH)**

4      16-04-2026                      The present writ application has been filed for the following reliefs:

*“(i) Quashing the arbitrary and illegal decision of the Technical Committee under the Rural Works Department, Work Division Siwan- 2, whereby the petitioner has been declared unsuccessful in Tender ID-142376 under MMGSY (Awasesh-SC) Scheme, despite fulfilling all eligibility criteria and having adequate bid capacity.*

*(ii) A direction upon the respondent to*





*reconsider the bid submitted by the petitioner in light of clarification provided by it and to declare it as technically successful after taking into consideration the facts and circumstances submitted to the respondents*

*(iii) Direct the respondent authorities to treat the petitioner as technically qualified and consider his financial bid in accordance with law.*

*(iv) Direction upon respondents to keep the tender process in abeyance until the final adjudication of the petitioner's concern*

*(v) Issue an appropriate writ/order/direction for holding an enquiry against respondent contractor Nagendra Prasad for suppression of material facts regarding his existing commitments.*

*(vi) Direction upon the respondents to decide the representation of the petitioner submitted to the Secretary*

*(vii) Pass such other order(s) as may be deemed fit and proper in the facts and circumstances of the case.”*

2. During pendency of the present writ application, the authority concerned has passed a fresh order dated 19.12.2025, which has been brought on record as Annexure-H to the counter affidavit. The said order has not been challenged in the present writ application.

3. In such circumstances, the petitioner is at liberty to file a fresh writ application challenging the aforesaid order dated 19.12.2025. Alternatively, the petitioner may file a fresh representation before respondent No. 2 for redressal of his grievance.





4. In the event such a representation is filed, respondent No. 2 shall consider and dispose of the same by passing a reasoned and speaking order, in accordance with law, after affording due opportunity of hearing to all the stakeholders, preferably within a period of four weeks from the date of its filing.

5. With the aforesaid observation, the present writ application stands disposed of.

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

**(Sudhir Singh, J)**

**(Sunil Dutta Mishra, J)**

Anushka/-

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