

**M/s R.K. Company Vs. State of H.P. & Others.**

**Item No. (S-3)**

**CWP No.12915 of 2025**

**13.11.2025**

**Present:** Mr. Sanjeev Bhushan, Senior Advocate with Mr. Vinod Thakur, Advocate, for the petitioner.

Mr. Rakesh Dhaulta and Mr. Pranay Pratap Singh, Additional Advocate Generals, for the respondents-State.

Ms. Tim Saran, Advocate, for respondent No.4.

In compliance to the order dated 04.09.2025, affidavit has been filed by the Managing Director, State Electronic Development Corporation Ltd., which would go on to show that whatever was to be clarified and the manner in which the tender was to be processed and the reasons which weighed with the respondents-State to show the transparency, has not been depicted.

**2.** Rather a perusal of the proceedings of the Committee Meeting held on 02.08.2025 (**Annexure A-4**) would go on to show that one M/s Byas Infrabuild Pvt. Ltd., has been given the Contract by the Committee out of which there are three Data Controllers, one Account Officer and headed by General Manager (Tech.). The reasoning as such giving the award, apparently is only on account of the fact that on an earlier occasion, he had deployed manpower and no complaints were received. There is not even a whisper to show what was his quotation and what was the quotations of the others. The

manner in which the respondents-State has awarded such a Contract of sixty (60) Staff Nurses, apparently is arbitrary and absolutely not transparent which is the least requirement when public awards have to be given and the Contracts have to be granted out. Resultantly, we implead M/s Byas Infrabuild Pvt. Ltd., as respondent No.5.

**3.** Issue notice to the newly added respondent No.5, on taking steps within one week, returnable within four weeks.

**4.** Needless to say that there is already an interim order passed on 12.08.2025, that no candidate will be declared selected, sponsored or appointed without leave of the Court. Thus, the respondents-State as such is to ensure that none of the persons sponsored by M/s Byas Infrabuild Pvt. Ltd., shall render any services.

**CMP No.27161 of 2025.**

**5.** The instant application under Section 151 CPC has been filed for grant of interim direction for staying the proposal dated 08.10.2025 for providing eighty (80) Staff Nurses in Dr. R.P. Government Medical College Kangra at Tanda, Himachal Pradesh.

**6.** Reference is made to the advertisement dated 31.10.2025, wherein Public Notice has been issued without even specifying which agency is doing so and the last date for closing of application is 06.11.2025.

7. Keeping in view the manner in which the Contracts have been awarded, we restrain respondent Nos. 2 to 4 from acting on the said notice also.

8. Accordingly, the proceedings are deferred for **18.12.2025.**

**(G.S. Sandhawalia)**  
**Chief Justice**

**(Jiya Lal Bhardwaj)**  
**Judge**

**13<sup>th</sup> November, 2025**  
(munish thakur)