

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(C) No.323 of 2026

M/s. Cobra Industrial Security Force (I) Ltd., a company duly incorporated under the provisions of the Companies Act, 1956, having its Registered Office at Tiwari Mansion, Kamla Nagar, P.O. Kokar, P.S. Sadar, District-Ranchi, through its Director Raju Pandey, son of Sri Janardan Pandey, resident of Booty, Near MDLM Hospital, P.O. Booty, P.S. Sadar, District-Ranchi.

..... Petitioner.

-Versus-

1. The State of Jharkhand, through the Secretary, Department of Health, Medical Education and Family Welfare, having his office at Nepal House, P.O. Doranda, P.S. Doranda, District-Ranchi.
2. Tender Inviting Authority, Office of Civil Surgeon-cum-Chief Medical Officer, Deoghar, having his office at Rajkumari Leprosy Centre, Jaushagari, P.O. Deoghar, P.S. Deoghar, District-Deoghar.
3. The Civil Surgeon-cum-Chief Medical Officer, Deoghar, having his office at Rajkumari Leprosy Centre, Jaushagari, P.O. Deoghar, P.S. Deoghar, District-Deoghar.
4. M/s. Samanta Security & Intelligence Services Pvt. Ltd., 205, 2nd Floor, Shashi Complex, Exhibition Road, P.O. G.P.O., P.S. Gandhi Maidan, District-Patna-800001, through its Director.

..... Respondents.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioner : Mr. Deepak Kr. Sinha, Advocate
For the State : Mr. Piyush Chitresh, AC to AG

Order No.02 **Date: 20.01.2026**

1. Heard learned counsel for the parties.
2. The petitioner challenges the communication dated 29th December, 2025 rejecting the petitioner's tender during financial evaluation by the duly constituted committee for the reason "Rate Below Minimum Wages".
3. Mr. Deepak Kumar Sinha, the learned counsel for the petitioner referred us to Clause 9.1 of the Notice Inviting Tender (NIT) which reads as follows:

"9.1 The bidders must quote the price in round figure up to two decimal places. For example if the price is

10.256 then it must be quoted as 10.26 and if the price is 10.254 then it must be quoted as 10.25”.

4. Mr. Sinha, then referred us to the averments in paragraph no.20 of the petition, in which, the petitioner has tabulated the minimum wages and rates quoted by the petitioner and the 4th respondent (successful bidder). The contents of paragraph no.20 are transcribed below for the convenience of reference:

Category of labour	Total wages per month as notified in Notification contained in Memo No.2555 dated 26.09.2025(Rs.) (For 26 days)	Wages to be paid per day (Rs.)	Rate of wages per day quoted by the Petitioner (Rs.)	Rate of wages per day quoted by the Respondent No.4(Rs.)
Unskilled	13,057.59	502.215	502.21	502.22
Semi-skilled	13,679.65	526.140	526.14	526.15
Skilled	18,032.92	693.573	693.57	693.58
Highly skilled	20,830.50	801.173	801.17	801.18

5. Mr. Sinha submitted that on a combined reading of the minimum wage rates prescribed under the minimum wages notification and Clause 9 of the NIT, it is apparent that the petitioner’s quote was not below the minimum wages. He submitted that the illustration in Clause 9.1 does not refer to the median rate, i.e., 502.215. He submits that in such a case, from the example given in Clause 9.1, the minimum rate must be construed as 502.21 and not 502.22 as is being construed by the respondents. He further submitted that, insofar as semi-skilled, skilled and highly skilled workers are concerned, the rate quoted by the petitioner is admittedly above the minimum wage rates. Mr Sinha submitted

that there is a misconstruction of the NIT and consequent unreasonableness involved in the rejection of the petitioner's bid or the acceptance of the 4th respondent's bid. For these reasons, Mr Sinha submitted that this Court ought to interfere and grant the petitioner the relief as prayed for in this petition.

6. Mr. Piyush Chitresh, the learned A.C. to A.G., submitted that any rate at a median point must be rounded to the next digit. He submitted that this is clear from Clause 9.1 and the example stated therein. In any event, he submitted that this is the most reasonable manner of construing Clause 9.1, and that there is no arbitrariness involved. He submitted that this is the manner in which the Tender Evaluation Committee, an expert body, has construed this clause in respect of all the bidders.
7. Mr. Piyush Chitresh submitted that, in the absence of any perversity or unreasonableness, this Court, consistent with the law laid down in the case of ***Tata Cellular vs. Union of India*** reported in ***(1994) 6 SCC 651***, must refrain from interfering with the tender process.
8. We have considered the rival contentions and perused the record.
9. In our judgment, there is no arbitrariness or unreasonableness involved in the approach of the respondents in holding that the rate quoted by the petitioner in respect of unskilled workers was less than the minimum wages. Besides, though the rates quoted by the petitioner in respect of semi-skilled, skilled and highly skilled workers may not have been below the minimum wage rates, the rates quoted by the petitioner are, admittedly, lower

by one paisa than those quoted by the 4th respondent. This means that the 4th respondent would be paying higher wages to its workers than the petitioner.

10. On a cumulative consideration of the petitioner's bid, therefore, if the Tender Evaluation Committee, which is an expert body, has concluded that the rate quoted by the petitioner was less than the minimum wage rates, we do not detect any arbitrariness or unreasonableness. There was no question of splitting the bid, as the petitioner was required to quote rates higher than the minimum wage rates prescribed under the notification.
11. Clause 9.1 provides that if the rate is 10.256, it must be rounded to 10.26, and if the rate is 10.254, it must be rounded to 10.25. If the Tender Evaluation Committee has construed this example as requiring that a rate of 5 or above be rounded up to the next figure, it cannot be said that any arbitrariness or unreasonableness is involved, simply because another interpretation may have been possible. The interpretation is far from unreasonable or arbitrary. It has been applied uniformly to all the bidders. There are no mala fides involved. None have been alleged or, in any event, made good.
12. Ultimately, in these matters, the Court is more concerned with the decision-making process than with the final decision. The decision-making process in this case cannot be said to be tainted by any arbitrariness, unfairness, illegality or irrationality. This is not a case where relevant considerations have been excluded or irrelevant considerations taken into account. This is also not a

case where the decision is so palpably unreasonable as to shock the conscience of this Court. This is certainly not a case where the impugned decision is such that no authority properly directing itself on the relevant law or facts and acting reasonably could ever have reached.

13. Therefore, considering the facts and circumstances and the law on the subject as laid down in the case of ***Tata Cellular (supra)***, we do not think that any case has been made out to interfere with the impugned decision.
14. Accordingly, we dismiss this petition without any order as to costs.

(M. S. Sonak, C.J.)

(Rajesh Shankar, J.)

20th January, 2026
Sanjay/Rohit
Uploaded on 21.01.2026