

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10879 of 2025

Maurya Motors Private Limited having its registered office at Plot C-1, Patliputra Industrial Area, Industrial Estate, P.S.- Patliputra, Patna-800013 through its Authorized Representative, Mr. Indra Mohan Jha, (Male) aged about 52 years, S/o Late Ram Kripal Jha, presently posted as Legal Manager at Patna Branch office situated at Maurya Motors Private Limited

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Health Department, Government of Bihar
2. Bihar Medical Services and Infrastructure Corporation Limited Through its Managing Director, 4th Floor, Bihar Medical Services and Infrastructure Corporation Limited, Hospital Road, Shastri Nagar, Patna-800023.
3. Sysmed Exim Private Limited, having it registered office at C/o Chander Shekher S/o Ram Joginder Sco 8-1 Mullapur G Das, Mohali, Mohali, Punjab, through its Managing Director

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Anshul, Sr. Advocate Mr. Dhananjay Kashyap, Advocate
For the Respondent No.1:		Mr. P.K. Shahi, Sr. Advocate Mr. Manish Kumar, GP-4
For the Respondent No.2:		Mr. Lalit Kishore, Sr. Advocate Mr. Vikash Kumar, Advocate Mr. Ayush Kumar, Advocate Mr. Kanishka Shankar, Advocate
For the Respondent No.3:		Mr. Umesh Prasad Singh, Sr. Advocate Mr. Vaibhava Veer Shankar, Advocate

CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL JUDGMENT
(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date : 01-09-2025

In the instant petition, petitioner has prayed for the following reliefs:

“i. For issuance of writ in the nature of certiorari for quashing/setting aside of tender floated vide Bid Number:



GEM/2025/B/6101982 dated 22.04.2025 and further direct the Respondent to issue a fresh tender for procurement of 222 units of Type- C Road Ambulance- Basic Life Support Ambulance.

ii. For issuance of writ in the nature of mandamus commanding and directing the Respondents to consider the representation dated 23.05.2025 presented before the Respondent whereby the Petitioner Company has highlighted its grievances about illegal and unreasonable conditions prescribed therein the tender which has ousted the Petitioner Company from the bidding.

iii. For issuance of writ in the nature of mandamus commanding and directing the Respondents to stay the Tender process of GEM/2025/B/6101982 dated 22.04.2025 and stay the delivery of the vehicles during the pendency of instant writ application.

iv. For any order / orders, direction / directions or any other consequential reliefs to which the Petitioner may be found eligible and entitled to and which may also seem just, proper and equitable to safeguard the rights and interests of the Petitioner.”

2. Grievance of the petitioner could not be apprised on the score of locus for the reasons that the petitioner had not



participated in the process of tender. He was not fulfilling certain conditions stipulated in the NIT dated 22.04.2025. If any conditions are disadvantage to the petitioner to the extent that he was not fulfilling and it is contrary to Article-14 and other any statutory provision, in that event, he should have invoked the remedy of filing writ petition before this Court at the earliest point of time as and when NIT dated 22.04.2025 was notified. On the other hand, the present writ petition was presented on 07.07.2025. During the intervening period from 22.04.2025 and 07.07.2025 much water has flown under the bridge pursuant to the NIT dated 22.04.2025 including creation of third party right.

3. In the light of these facts and circumstances, the petitioner has not made out a case, hence Writ petition dismissed.

(P. B. Bajanthri, ACJ)

(Alok Kumar Sinha, J)

Prakash Narayan

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	04.09.2025
Transmission Date	NA

