

## M/s Chhaya Architect & Consultant Vs State Of Jharkhand

**Court:** Jharkhand High Court

**Date of Decision:** Feb. 12, 2025

**Hon'ble Judges:** M.S. Ramachandra Rao, CJ; Deepak Roshan, J

**Bench:** Division Bench

**Advocate:** Ajit Kumar, Prem Pujari Roy, Piyush Chitresh, Khalida Haya Rashmi, Prakash Kumar

**Final Decision:** Disposed Of

### Judgement

M. S. Ramachandra Rao, C.J. (Oral)

1. Heard both sides.

2. The issue in the writ petition pertains to selection of respondent no.8 on 28.08.2023 for submission of a DPR when previously the petitioner was

asked to submit the DPR in the year 2016 vide Annexure-A1 dated 11.01.2016.

3. It is contended by the learned senior counsel appearing for the petitioner that on 11.01.2016 in a meeting conducted by certain engineers of the

Health Department, petitioner was awarded the work of submitting a DPR, but later without any process, the respondent no.8 has been asked to

submit a DPR.

4. We may point out that no tendering process was initiated by the respondents prior to 2016 also when petitioner was asked to submit the DPR, and

certain empaneled consultants including the petitioner were called to attend a meeting, and the award was made in favour of the petitioner on

11.01.2016.

5. According to the respondents, the DPR submitted by the petitioner was not appropriate and they have verbally instructed the respondent no.8 to

prepare another DPR and submit it.

6. It is not disputed by the learned counsel for the petitioner that on 30.01.2023 the JSBCC had issued a tender for an amount more than Rs. 300

crores and the tender has already been awarded to some third party on 07.08.2023. Obviously, the work of execution of construction of the 300

bedded hospital which was subject matter of the DPR and the tender, would have commenced, and would have progressed substantially by now.

7. At this stage, whether the DPR of the petitioner should be accepted by the respondents or the DPR submitted by the respondent no.8 should be

accepted, becomes academic.

8. Therefore, granting liberty to the petitioner to avail any remedy in Civil Court for recovery of dues, if any, payable to it, for preparation of the DPR,

this writ petition is disposed of.

9. Pending I.A, if any, also stands disposed of.