

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**  
**W.P.(C) No. 1259 of 2021**

Rameshwaram Projects Private Limited, Hinoo, Ranchi through its  
Director Sri Prasun P. Raipati ... .. Petitioner

Versus

The State of Jharkhand & Ors. ... .. Respondents

**CORAM: HON'BLE MR. JUSTICE RAJESH SHANKAR**

For the Petitioner : Mr. A.K. Das, Advocate  
For the Respondents : Mr. P.A.S. Pati, GA-II

02/25.03.2021 The present writ petition is taken up today through Video conferencing.

Mr. A.K. Das, the learned counsel for the petitioner, submits that typed copies of different annexures have already been filed.

Office to verify the same and proceed accordingly.

The present writ petition has been filed for quashing the communication dated 03.03.2021 (Annexure-4 to the writ petition) sent by the respondent authorities informing the petitioner that its bid with respect to Tender Reference No. RDD/SD/RANCHI/03/2020-21 (3<sup>rd</sup> Call) has been rejected during technical evaluation for non-submission of GSTR-3B.

Mr. A.K. Das, the learned counsel for the petitioner, submits that though the petitioner, along with its bid, has submitted the return as required in terms with the stipulations made in the tender documents, the respondent authorities with malafide motive, have declared the petitioner technically disqualified on the ground of non-submission of GSTR-3B.

Mr. P.A.S. Pati, the learned counsel appearing on behalf of the respondents, submits that as per his instruction, the petitioner in its bid/tender submitted Form GSTR-1 i.e., the form prescribed for furnishing the details of outward supplies. As per Rule 61 of the Jharkhand Goods and Services Tax Rules, 2017, the petitioner was required to submit Form GSTR-3B i.e., the form prescribed for submission of monthly return. Since sub-clause (i) of

Part A of Clause B1 of the Tender Document clearly provides for filing of GST documents relating to registration with up-to-date GST Return, the petitioner was required to submit Form GSTR-3B, which he failed to do. He further prays for and is allowed four weeks' time to seek instruction and file a counter affidavit on behalf of the respondents.

Put up this case under appropriate heading after four weeks.

The finalization of the tender in question shall be subject to the outcome of the writ petition.

**(Rajesh Shankar, J.)**

Manish