



2026:MNHC:217-DB

REPORTABLE

Supple. Sl. No 1-4

**IN THE HIGH COURT OF MANIPUR
AT IMPHAL**

**WA No. 26 of 2026
With
MC (W.A.) No. 69 of 2026
With
W.A. No. 27 of 2026
With
MC (W.A.) No. 70 of 2026**

1. The President, All Manipur PWD Contractors' Association, Registration No. 224/M/SR/2006, namely L. Guni Singh, PWD Complex Khuyathong, P.O & P.S.-Imphal, Imphal West District, Manipur-795001.
2. The President, All Tribal Contractors' Association, Registration No. 291/M/SR/2007, namely A.S. Clement, PWD Complex, Khuyathong, P.O. & P.S. Imphal, Imphal West District, Manipur-795001.

... APPELLANTS/APPLICANTS

-Versus-

1. The State of Manipur represented by the Commissioner/Secretary, (MSRRDA/RD & PR), Government of Manipur, Mantripukhri, P.O. Mantripukhri & P.S. Heingang, Imphal East District, Manipur-795002.
2. The Engineer Chief (RED/MSRRDA), Manipur, 4th Floor Secured Office Complex, AT Line North AOC, P.O. & P.S. Imphal, Imphal West District, Manipur-795001.
3. The Union of India represented by the Secretary, Ministry of Rural Development, Government of India, Krishi Bhawan, Dr. Rajendra Prasad Road, New Delhi-110001.

4. The Director General, National Rural Infrastructure Development Agency, Ministry of Rural Development, Government of India, 5th Floor, 15-NBCC Tower, Bikaji Cama Road, New Delhi-110006.
5. The Bhartia Infra Projects Ltd. through its Director namely Pawan Kr. Bhartia, 201 Royal Arcade, Dr. B. Baruah Road, Ulubari, Guwahati, Assam, Pin-781007.
6. M/S Nirbhay Construction Limited, through its Chairman namely Nirbhay Pratab Singh, Kacheri Road near Vikas Bhawan Pant Nagar, Gonda, UP, Pin-271001.
7. Sharma Bros, Scientific Instruments Co. through its Proprietor, name not known, Paona Bazar P.O. & P.S. Imphal, Imphal West District, Pin 795001.

... RESPONDENTS

For appellants/applicants	Mr. S. Rupachandra, Senior Advocate instructed by Mr. Ronnak Moirangthem Singh, Advocate
For respondent No. 1	Mr. Lenin Hijam, Senior Advocate and Advocate General, Manipur, instructed by Mr. I. Amri, Advocate
For respondent No. 2	Mr. M. Devananda, Senior Advocate and Additional Advocate General instructed by Ms. N. Jyotsana, Advocate.
For respondent Nos. 3 & 4	Ms. Pamchui, Advocate
For respondent No. 5	Mr. N. Jotendro, Senior Advocate instructed by Mr. Syed Murtaza Ahmed, Advocate
For respondent No. 6	Mr. Deepak Prasad Sahu, Advocate
For respondent No. 7	notice dispensed with
Date of Order	25.09.2026

BEFORE
HON'BLE THE CHIEF JUSTICE MR. M. SUNDAR
HON'BLE MR. JUSTICE AHANTHEM BIMOL SINGH

JUDGMENT & ORDER
(ORAL)

(M. Sundar, CJ)

[1] The following abbreviations/short forms have been used in this order (for the sake of brevity, convenience and clarity):

Sl. No.	Abbreviation/Short Form/other short references	Full Form/Expansion
1.	WA	Writ Appeal
2.	WAs	Writ Appeals
3.	1 st WA	WA No. 26 of 2026
4.	2 nd WA	WA No. 27 of 2026
5.	MC	Miscellaneous Case
6.	MCs	Miscellaneous Cases
7.	WP	Writ Petition
8.	WPs	Writ Petitions
9.	1 st WP	W.P. (C) No. 689 of 2026
10.	2 nd WP	W.P. (C) No. 695 of 2026
11.	NIT	Notice Inviting Tender
12.	NsIT	Notices Inviting Tender
13.	AG	Advocate General
14.	AAG	Additional Advocate General
15.	RED	Rural and Engineering Department
16.	MSRRDA	Manipur State Rural Roads Development Agency
17.	R1	Respondent No.1
18.	R2	Respondent No. 2
19.	R3	Respondent No. 3
20.	R4	Respondent No. 4

Sl. No.	Abbreviation/Short Form/other short references	Full Form/Expansion
21.	R5	Respondent No. 5
22.	R6	Respondent No. 6
23.	R7	Respondent No. 7
24.	1 st impugned order	Order dated 17.09.2026 in MC [W.P. (C)] No. 720 of 2026 in W.P. (C) No. 695 of 2026
25.	2 nd impugned order	Order dated 17.09.2026 in MC [W.P. (C)] No. 716 of 2026 in W.P. (C) No. 689 of 2026
26.	impugned orders	1 st and 2 nd impugned orders collectively
27.	SLP	Special Leave Petition
28.	SBD	Standard Bidding Document

[2] Captioned 2 (two) WAs are intra Court appeals challenging two separate orders in two separate MCs viz., MC [W.P. (C)] No. 716 of 2026 in W.P. (C) No. 689 of 2026 and MC [W.P. (C)] No. 720 of 2026 in W.P. (C) No. 695 of 2026 both dated 17.09.2026 made by a Hon'ble Single Judge ('impugned orders' collectively, '1st impugned order' and '2nd impugned order' respectively for the sake of convenience and clarity as set out in tabulation *supra*).

[3] In the 1st WA, 2nd impugned order has been assailed and in the 2nd WA, 1st impugned order has been assailed.

[4] Before Hon'ble Single Bench, 2 (two) WPs were filed namely W.P. (C) No. 689 of 2026 (1st WP) and W.P. (C) No. 695 of 2026 (2nd WP). In the 1st WP, writ petitioners, who are writ appellants before this Division

Bench, have assailed Tender Bids Evaluation Reports (two reports) both dated 01.09.2026 *qua* R5 and R6 *inter alia* on the ground that they (R5 and R6) do not fulfil many SBD conditions, to be noted, other limbs of prayers for re-evaluation, disposal of representations etc., are also there. In the 2nd WP, Revised Technical Bids Evaluation Reports (two reports) both dated 10.09.2026 have been assailed with some other limbs of prayers. Subject matter of both WPs is 2 (two) NsIT both dated 10.07.2026 floated by RED/MSRRDA for various packages of road construction/road development works (96 packages) in all.

[5] In and *vide* impugned orders, Hon'ble Single Judge rejected interim prayers for stay of proceedings pursuant to operation of impugned Technical Bids Evaluation Reports and Revised Technical Bids Evaluation Reports. Aggrieved, the writ petitioners are in appeal *vide* captioned WAs.

[6] Be that as it may, as regards the same NsIT, certain issues arose between R5 & R6 who are bidders, R6 filed a writ petition being W.P. (C) No. 680 of 2026 (which is pending before Hon'ble Single Bench) and against rejection of interim order in the same, R6 carried the matter to this Division Bench *vide* W.A. No. 25 of 2026 which was disposed of by this Court (after full contest) in and by an order dated 17.09.2026. This 17.09.2026 order of this Bench was carried to Hon'ble Supreme Court *vide* SLP (C) No. 33857 of 2026 and Hon'ble Supreme Court has disposed of the SLP *vide* an order dated 24.09.2026 *inter alia* making an order of *status quo* and requesting the Hon'ble Single Judge to dispose of the writ petition being W.P. (C) No. 680 of 2026 within a time frame.

[7] Issue notice.

[8] Mr. I. Amri, learned State counsel, accepts notice for R1, he is led by Mr. Lenin Hijam, learned Senior Advocate and learned AG, Ms. Jyotsana Naorem, learned State counsel accepts notice for R2 and she is led by Mr. M. Devananda, learned Senior Advocate and learned AAG, who appears on Video Conferencing (V.C.) platform, Ms. Pamchui, learned counsel accepts notice for R3 & R4, Mr. Syed Murtaza Ahmed, learned counsel accepts notice for R5, he is led by Mr. N. Jotendro, learned Senior Advocate and Mr. Deepak Prasad Sahu, learned counsel, accepts notice for R6.

[9] All the afore-referred counsel on both sides agree to have the main WAs itself disposed of in the light of *status quo* order made by Hon'ble Supreme Court as subject matter of WPs out of which captioned WAs arise and WP out of which afore-referred SLP arose is the same. In this scenario, this Court is informed by Mr. S. Rupachandra, learned Senior Advocate instructed by Mr. Ronnak Moirangthem Singh, learned counsel on record for appellants in captioned WAs that R7 before us (Sharma Bros, Scientific Instruments Co. through its Proprietor, name not known, Paona Bazar P.O. & P.S. Imphal, Imphal West District, Pin 795001) who is also R7 before Hon'ble Single Judge has been duly served in the WPs before the Single Judge. This submission is recorded and therefore, in the light of the order we propose to make, we dispense with notice to R7 in the captioned WAs and captioned MCs thereat but we make it clear that all the rights and contentions of R7 will remain preserved for being canvassed before Hon'ble Single Bench in the WPs and MCs (if any) thereat.

[10] As regards the earlier WP which arose out of issues between R5 & R6, as alluded to *supra* the matter travelled to Hon'ble Supreme Court and Hon'ble Supreme Court disposed of the SLP *vide* an order dated 24.09.2026 (an order made yesterday) and a scanned reproduction of this order is as follows:

ITEM NO.36

COURT NO.3

SECTION XV

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 33857/2026
[Arising out of impugned final judgment and order dated 17-09-2026
in WA No. 25/2026 passed by the High Court of Manipur at Imphal]

M/S NIRBHAY CONSTRUCTION

Petitioner(s)

VERSUS

THE STATE OF MANIPUR & ORS.

Respondent(s)

(IA No. 292345/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT
IA No. 292729/2026 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES)

Date : 24-09-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE B.V. NAGARATHNA
HON'BLE MR. JUSTICE R. MAHADEVAN

For Petitioner(s) Mr. Prashant Bhushan, Adv.
Ms. Neha Rathi, AOR
Ms. Somya Kumari, Adv.
Ms. Kajal Giri, Adv.
Mr. Prateek Yadav, Adv.

For Respondent(s) Mr. N Jotendro Singh, Sr. Adv.
Mr. David Ahongsangbam, Adv.
Mr. Syed Murtaza Ahmed, Adv.
Mr. Ashlikumar Athokpam, Adv.
Mr. Rahul Kumar, Adv.
Mr. Raj Singh, Adv.
Ms. Rajkumari Banju, AOR

Mr. M. Devananda, AAG, Adv.
Mr. Pukhrambam Ramesh Kumar, AOR
Mr. Karun Shamra, Adv.
Ms. Anupama Ngangom, Adv.
Ms. Rajkumari Divyasana, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Signature Not Verified
Digitally signed by
Rajkumari Divyasana
Date: 2026.09.25
10:12:25
Reason: I am the author of this
document.

Issue notice to respondent Nos.1 and 4. Service of
notice to other respondents is dispensed with having

regard to the nature of the order that we propose to pass.

2. We have heard learned counsel for the petitioner and learned Advocate General for respondent No.1 and learned counsel for respondent No.4/caveator.
3. We dispose of this Special Leave Petition by reserving liberty to the petitioner herein to advance the matter before the learned Single Judge from 30.10.2026 to an early date.
4. We request the learned Single Judge to hear the Writ Petition on merits and dispose it of as expeditiously as possible and preferably within two months from the date of the first hearing of the Writ Petition on merits by the learned Single Judge.
5. Till the disposal of the Writ Petition on merits by the learned Single Judge, the respondents shall maintain *status quo*.
6. Pending application(s), if any, shall stand disposed of.

(RADHA SHARMA)
ASTT. REGISTRAR-cum-PS

(DIVYA BABBAR)
COURT MASTER (NSH)

[11] As already alluded to *supra*, the 2(two) NsIT pertain to 96 (ninety-six) packages and the earlier round of litigation pertains to 81(eighty-one) packages. To be noted, as regards many packages, there is no dispute that they are connected one way or the other and it would not be viable to work *qua*

15 packages alone when 81 packages remain in abeyance. Therefore, we deem it appropriate to respectfully follow and write that the *status-quo* order of Hon'ble Supreme Court will now apply for the 96 packages. In all other aspects, afore-referred order of Hon'ble Supreme Court will apply and in this regard, we remind ourselves of the age-old adage that the sauce to Goose is sauce to Gander too.

[12] We make the following order:

- i) Afore-referred WPs being W.P. (C) No. 689 of 2026 and W.P. (C) No. 695 of 2026 shall now be tagged with W.P. (C) No. 680 of 2026 before Hon'ble Single Judge;
- ii) All 3(three) WPs viz., W.P. (C) No. 680 of 2026, W.P. (C) No. 689 of 2026 & W.P. (C) No. 695 of 2026 shall be heard out together by the Hon'ble Single Judge;
- iii) The order of Hon'ble Supreme Court directing respondents to maintain *status-quo*, more particularly *vide* paragraph No. 5 of the afore-referred 24.09.2026 order will operate *qua* W.P. (C) Nos. 689 & W.P. (C) No. 695 of 2026 also and in all other aspects including timeline, the matter will stand governed by order of Hon'ble Supreme Court dated 24.09.2026 made in SLP (C) No. 33857 of 2026 as subject matter (though different issues have been raised) of all 3 (three) WPs is the same i.e., NsIT out of which they arise are the same;

iv) We make it clear that the order of *status quo* will be for all 96 packages *qua* both NsIT put together.

[13] Ergo, the sequitur is, captioned WAs are disposed of in the aforesaid manner *albeit* with the above observations and directions.

[14] In the light of captioned 2(two) WAs being disposed of in the aforesaid manner, captioned 2(two) MCs become otiose and therefore, the captioned 2(two) MCs are given as closure and the same are disposed of as closed. There shall be no orders as to costs.

JUDGE

CHIEF JUSTICE

FR/NFR

Sandeep/Indrajeet

P.S. I : Upload forthwith

P.S. II : All concerned will stand bound by web copy uploaded in High Court website inter alia as the same is QR coded.