

GAHC010272262024



2024:GAU-AS:12881

**THE GAUHATI HIGH COURT**  
**(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)**

**Case No. : WP(C)/6823/2024**

SAHIDUR RAHMAN  
S/O- LATE SONA ALI, R/O- HOUSE NO. 29, MASJID ROAD, BIRUBARI, P.O.  
GOPINATH NAGAR, P.S. PALTANBAZAR, GUWAHATI-16, DIST. KAMRUP(M),  
ASSAM

VERSUS

THE STATE OF ASSAM AND 3 ORS.  
THROUGH THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT  
OF ASSAM, FOREST DEPARTMENT, DISPUR, GHY-781006.

2:THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS (WILD LIFE)  
PANJABARI  
GHY-37  
ASSAM

3:THE DIVISIONAL FOREST OFFICER  
ASSAM STATE ZOO DIVISION  
ASSAM STATE ZOO CUM BOTANICAL GARDEN  
R.G. BARUAH ROAD  
GHY-781005.

4:MOHAMMAD MUSTAFA  
S/O- LATE HAJI MD. HANIF  
R/O- HOUSE NO. 18  
ISLAMPUR  
NEAR ISLAMPUR MASJID  
P.O. ULUBARI  
P.S. PALTANBAZAR  
GUWAHATI-7  
DIST. KAMRUP(M)  
ASSA

**Advocate for the Petitioner** : MS. S KANUNGOE, MS. R CHAKRAVARTY

**Advocate for the Respondent** : SC, FOREST,

**BEFORE  
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA**

**ORDER**

**Date : 18-12-2024**

Heard Ms. S Kanungoe, learned counsel for the petitioner, who submits that the petitioner participated in the Notice Inviting Bid (NIB) dated 02.11.2024, for supply of ration feed material under Group-F (Beef) for zoo animals under the Assam State Zoo for a period of one year.

**2.** The grievance of the petitioner is that though the rates of the petitioner was lower than the rates submitted by the respondent No. 4, the respondent No. 4 has been selected as the successful tenderer.

**3.** Mr. RR Gogoi, learned counsel for the Forest Department submits that in terms of the NIB dated 02.11.2024, Clause 7 provides an efficacious alternative remedy to the petitioner, when a bidder is aggrieved with the action undertaken by the respondents pursuant to the NIB dated 02.11.2024.

**4.** Ms. S Kanungoe, learned counsel for the petitioner submits that in view of the submission made by the counsel for the Forest Department and keeping in view Clause 7 of the NIB dated 02.11.2024, the petitioner will approach the First Appellate Authority with his grievance. She accordingly prays that the petitioner may be allowed to withdraw the writ petition, with liberty to approach the appropriate Appellate Authority.

- 5.** The prayer of the petitioner's counsel is allowed.
- 6.** The writ petition is closed as withdrawn, with liberty being given to the petitioner to approach the Appellate Authority, in terms of Clause 7 of the NIB dated 02.11.2024.

**JUDGE**

**Comparing Assistant**