

GAHC030004572024



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

Case No. : WP(C)/72/2024

M/s Shri Balaji Construction Co.
having its corporate offices at near RTO Office, Aspur Road, Tijwad, Dungarpur,
Rajasthan - 314001, r/b its Authorized Signatory Mr. Ram Niwas Poonia

VERSUS

The State of Mizoram r/b the Secretary to the Govt. of Mizoram, Public Works Dept.
and 2 Ors.
MINECO, Aizawl, PIN - 796001, Mizoram

2:The Chief Engineer (Roads)
PWD
Govt. of Mizoram

3:The Tender Evaluation Committee r/b and through its Chairman
Engineer-in-Chief
PW

Advocate for the Petitioner : Mr. Debang Baidya

Advocate for the Respondent : Addl. AG/GA, Mizoram for R1-3

B E F O R E
HON'BLE MR. JUSTICE NELSON SAILO

09.08.2024

Parties are represented by their respective counsels. At the outset, Mr. Samuel Vanlalhriata Chhangte, learned Addl. Advocate General has produced the meeting

minutes of procuring authority of the work "Construction of Aizawl By-Pass on Western Side" dated 05.08.2024. In the meeting, it was resolved that since there were difficulties in adhering to the time frame of the project, the tender process should be cancelled. In terms of the resolution passed in the meeting, an Office Order dated 08.08.2024 has been issued by the Chief Engineer (Roads), PWD cancelling the tender process dated 08.03.2024.

Having regard to the above developments, the writ petition has only become infructuous. Accordingly, the Writ Petition is disposed of as infructuous. Interim order passed earlier stands vacated.

It is, however, observed that the writ petitioner should be allowed to participate in the event the authorities concerned decide to go for re-tendering and the grounds for rejecting the earlier tender shall not come in the way in the participation of the petitioner in the tender process, which may be initiated again.

The Communication dated 08.08.2024, the meeting minutes and the Office Order dated 08.08.2024 are retained in the record and marked as 'X' for identification.

JUDGE

Comparing Assistant