Item No. 5

IN THE HIGH COURT OF MANIPUR
AT IMPHAL

WP(C) No. 180 of 2026

M/S Zenith Enterprise

…..*Petitioner/s*

- Versus –

The Food Corporation of India & 2 Ors.

.... *Respondent/s*

BEFORE
HON'BLE MR. JUSTICE A. GUNESHWAR SHARMA

Order

27.02.2026

[1] Heard Mr. HS. Paonam, learned senior counsel assisted by Mr. S. Gunabanta, learned counsel for the petitioner and Mr. W. Darakishwor, learned Sr. PCCG on behalf of the respondents (FCI).

[2] Vide order dated 14.02.2025 issued by the Dy. General Manager (R), FCI, the contract for lifting foodgrains awarded to the petitioner from RH/FSD Jiribam to FSD Thoubal and Bishnupur were terminated for debarment for two years from the date of receipt of the order and forfeiture of security deposit, bank guarantees and recovery of any losses suffered by the Corporation due to contractors negligence or unworkman-like performance of any of the services under the contract. The order of termination was upheld by an order dated 04.06.2025 passed by the Grievance Cell of the respondents.

[3] The petitioner challenged both the termination order dated 14.02.2025 and confirmation order dated 04.06.2025 by way of writ petition being WP(C) No. 455 of 2025 and this Court issued notice on 17.06.2025 with the observation that prayer for interim relief will be considered on the next date. However, it is admitted case that there is

no interim relief staying the termination order including debarment and the matter is pending as on date.

[4] During the pendency of the writ petition and subsistence of the termination order, the respondents floated an NIT dated 12.02.2026 inviting bids for lifting foodgrains from Khongsang to FCI Thoubal for the period of two years and last date for submission of the bid is 06.03.2026.

[5] By the present writ petition, the petitioner prays for allowing him to participate in NIT dated 12.02.2026 or in alternative, the debarment of the petitioner from participating in future contract vide termination order dated 14.02.2025 and confirmation order dated 04.06.2025 shall not operate as a bar in participation in the present NIT.

[6] Mr. HS. Paonam, learned senior counsel for the petitioner, submits that the matter may be disposed of with a direction for allowing the petitioner to participate in the NIT dated 12.02.2026 for lifting of foodgrains from Khongsang to FCI Thoubal.

[7] On the other hand, Mr. W. Darakishwor, learned Sr. PCCG, submits that if the prayer is allowed it will amount to allowing the pending writ petition being WP(C) No. 455 of 2025 filed by the petitioner challenging the earlier termination order and allowing the prayer will set a bad precedent for the future.

[8] Mr. HS. Paonam, learned senior counsel for the petitioner, submits that writ petition may be disposed of by directing the respondents to consider the proposed bid to be submitted by the petitioner.

[9] This Court has considered the materials on record, the prayer of the petitioner, the objection of the respondents and alternative prayer of the petitioner.

[10] The earlier termination order and debarment order dated 14.02.2026 is still subsisting as the same is not stayed in WP(C) No. 455 of 2025. Keeping the present writ petition pending will not serve any purpose in view of limited nature of relief sought for. In the circumstances, writ petition is disposed of by directing the respondents

to consider any bid submitted by the petitioner as per applicable rule without prejudice to the rights of the parties in the pending writ petition i.e. WP(C) No. 455 of 2025.

[11] This Court does not express any opinion on the merit of the case.

[12] With this observation, writ petition is disposed of.

[13] Furnish a copy of this order to the learned counsel appearing for the parties by whatsapp or any available modes.

KH. JOSHUA MARING

Digitally signed by KH. JOSHUA MARING
Date: 2026.02.27 17:54:54 +05'30'

JUDGE

Kh. Joshua Maring