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HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No. 757 of 2015**

Shri Shravan Sharma S/o Shri Juharmal Sharma, Age 51 years, R/o Gandhi Chowk, Pandaria, Post Pandaria, District Kabirdham, Chhattisgarh.

---- **Petitioner****Versus**

1. State of Chhattisgarh, Through the Secretary, Department of Food, Transportation and Civil Supplies, Indravati Bhawan, New Raipur, Raipur, Chhattisgarh.
2. Chhattisgarh State Civil Supply Corporation Limited, Through its Managing Director, Hitwad Bhawan, Avanti Vihar, Head Quarter, Raipur, District Raipur Chhattisgarh.
3. The General Manager, Transportation, Chhattisgarh State Civil Supply Corporation Limited, Hitwad Bhawan, Avanti Vihar, Head Quarter Raipur, District Raipur Chhattisgarh.
4. The District Manager, Chhattisgarh State Civil Supply Corporation Limited, Kabirdham, District Kabirdham.
5. Indrajeet Singh Saluja S/o Shri Tirlochan Saluja, Gurugobind Singh Chowk, Kawardha, District Kabirdham Chhattisgarh.
6. Smt. Pushpa Devi, Transporter, Kabirdham, District Kabirdham Chhattisgarh.

---- **Respondents**

For Petitioner	:	Shri Vivek Verma, Advocate.
For Respondent/State	:	Shri Prafull N Bharat, Additional Advocate General.
For Respondents 2 to 4	:	Shri V.R.Tiwari, Advocate.

Hon'ble Shri Navin Sinha, Chief Justice
Hon'ble Shri P. Sam Koshy, J.

Order On Board**Per Navin Sinha, Chief Justice****29/04/2015**

1. Heard Learned Counsel for the Petitioner and Respondent No. 2 to 4.
2. Learned Counsel for the Petitioner submits that he alongwith Respondent No. 5 and 6 were bidders for a transport contract floated by the Respondents for the year 2015-2016 from base depot, Kabirdham to the fair price shops. The bid was to be submitted in two parts (a) technical bid, and (b) financial bid. Only those who were successful in the technical bid were to be

considered for the financial bid. Even if the Respondent No. 5 may have been the lowest bidder, he was not eligible to be considered and his financial bid opened in view of the fact that he did not fulfill the conditions of clause 4.1 of the bid documents as he had not submitted the necessary details with regard to the vehicle proposed to be used for transportation alongwith registration, insurance and fitness certificate of the vehicle.

3. Learned Counsel for Respondents No. 2 to 4 submits that without instructions, he is not in a position to make any submissions.

4. Learned Counsel for the Petitioner submits that work order has not been awarded to Respondent No. 5 till date and therefore, the Respondents may be directed to consider the objection of the Petitioner with regard to the ineligibility of Respondent No. 5 on the aforesaid grounds and dispose it by a reasoned and speaking order.

5. In view of the submission made on behalf of Petitioner himself, we dispose this writ application with a direction to the Respondent No. 4 to decide the representation of the Petitioner dated 10.4.2015 by a reasoned and speaking order before finalizing the work order in favour of any. Naturally, Respondents No. 5 and 6 are equally required to be noticed and heard by Respondent No. 4 before any final order is passed.

6. It is expected that such appropriate final orders shall be passed by Respondent No. 4 within a maximum period of three weeks from the date of receipt of and/or presentation of a copy of the present order.

7. The writ application stands disposed.

Sd/-
(Navin Sinha)
CHIEF JUSTICE

Sd/-
(P.Sam Koshy)
JUDGE