

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WRIT PETITION (C) NO. 1933 OF 2015

Kamal Narayan Sahu, S/o Devmani Sahu, aged about 27 years, R/o Village Kumhari, P.S. Rajim, District Gariyaband (C.G.)

... Petitioner

Versus

1. State of Chhattisgarh, through the Secretary, Cooperative Societies Department, Mantralaya, Mahanadi Bhawan, New Raipur (C.G.)

2. Chhattisgarh Rajya Shahkari Vipnan Sangh Maryadit, through the Managing Director, 880, Civil Lines, Raipur, District Raipur (C.G.)

... Respondents

For Petitioner	:	Mr. Raghvendra Pradhan, Advocate.
For Respondent No.1	:	Mr. UNS Deo, Government Advocate.
For Respondent No.2	:	Mr. Prafull Bharat, Advocate.

Hon'ble Shri Navin Sinha, Chief Justice

Hon'ble Shri Justice P. Sam Koshy

Order on Board

Per NAVIN SINHA, C.J.

02/11/2015

1. Heard Learned Counsel for the Petitioner and the Respondents.
2. Learned Counsel for the Petitioner submits that the Respondents have published a Notice Inviting Tender on 17.10.2015 for transportation of food grains. The last date for submission of bids is 8.11.2015. According to the Store Purchase Rules, 2002 (hereinafter called 'the Rules'), in cases where the value of the tender was above Rs. 10 Lakh and up to Rs. 25 Lakh, there had to be a minimum 30 days period intervening between publication and last date for submission of bids. In the present case, the intervening period is only 21 days which is violative of the rules. It was next submitted that according to Rule 4.3 of the Store Purchase Rules, 2002, the advertisement had to be published

in two State level newspapers, contrary to which it had been published in only one.

3. Shri Prafull Bhurat, Counsel for Respondent No.2, submits that the entire issue has been considered the other day in Writ Petition (C) No. 1931 of 2015 including the power of relaxation contained in Rule 16 and the writ petition has been dismissed by a reasoned order.

4. Furthermore, the Petitioner has not been prejudiced in any manner by publication in one newspaper as ultimately the objective of wide publicity to make bidders aware has been fulfilled when the writ petition has been filed after having been made aware of the advertisement by the publication made.

5. For the reasons discussed in Writ Petition (C) No. 1931 of 2015, we find no reason to interfere.

6. The writ petition is dismissed.

Sd/-
(Navin Sinha)
Chief Justice

Sd/-
(P. Sam Koshy)
Judge