

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****W.P.(C) No. 998 of 2016**

M/s Akul Devcon Private Limited through partner Sandeep Singh, S/o
Jitendra Pratap Singh, aged about 33 Years, R/o Deviganj Road,
Ambikapur, District Surguja (Chhattisgarh)

---- Petitioner**Versus**

1. State of Chhattisgarh through Chief Secretary, Mahanadi Bhawan, New Mantralay, Raipur (Chhattisgarh)
2. State of Chhattisgarh through the Secretary, Public Health Engineering Department, Mahanadi Bhawan, New Mantralay, Raipur (Chhattisgarh)
3. State of Chhattisgarh through Chief Secretary, Public Health and Engineering Department, Mahanadi Bhawan, New Mantralay, Raipur (Chhattisgarh)
4. State of Chhattisgarh, through Additional Secretary, Ministry of Law Department, Mahanadi Bhawan, New Mantralay, Raipur (Chhattisgarh)
5. The Engineer-In- Chief, Public Health Engineering Department, District Raipur (Chhattisgarh)
6. The Chief Engineer, Public Health Engineering Department, District Civil Lines, Raipur (Chhattisgarh)
7. The Superintending Engineer, Public Health Engineering Department District Durg (Chhattisgarh)
8. The Executive Engineer, P.H.E. Division, Rajnandgaon, District Rajnandgaon (Chhattisgarh)

---- Respondents

For Petitioner	:	Shri Apoorva Tripathi, Advocate
For Respondents/State	:	Shri Prafull N. Bharat, Additional Advocate General

Hon'ble Shri Justice Pritinker Diwaker**Hon'ble Shri Justice P. Sam Koshy****Order On Board****Per P. Sam Koshy, Judge****21.04.2016**

The petitioner through the present writ petition has sought for a relief of direction to the respondents for opening the commercial bid made

by the petitioner.

2. The contents of the petition as well as the submissions of the petitioner are that the respondents had issued a notice inviting tender pertaining to installation of water treatment plant 5.0 MLD capacity under Dongargaon Aug. PWSS. According to the petitioner, he had also participated in the tender proceedings. However on 14.03.2016 the petitioner checked the status of the tender process and learnt that his tender documents have been rejected at the pre-qualifying stage itself i.e. at the time of opening of the Envelope A. Grievance of the petitioner is that immediately on 15.03.2016 he had written a letter to the Chief Engineer asking the reasons for rejection of his bid documents but till date he has not received any reply and there is all likelihood that the respondents may finalize the tender detrimental to the interest of the petitioner.

3. It was argued by the counsel for the petitioner that if the petitioner had learnt the reasons regarding rejection of his tender documents, he would have been able to substantiate his case more effectively before this Court to show that rejection of his tender documents was with mala fides and also arbitrary.

4. At this juncture, learned Additional Advocate General undertakes that the respondents shall convey the petitioner the reasons of rejection of his bid documents within a period of 10 days from today.

5. On the said undertaking given by the State counsel, this Court is of the opinion that ends of justice would meet if the petition is disposed of at this juncture without entering into the merits of the case so that the petitioner may be aware of the reasons for rejection of his bid documents.

It is ordered accordingly. In the event the petitioner is dissatisfied with the reasons assigned, he would be at liberty of challenging the same.

6. It is expected that the respondents shall positively comply with the undertaking given by the Additional Advocate General within the stipulated period.

7. With the aforesaid observation, the writ petition stands disposed of.

Sd/-
Pritinker Diwaker
Judge

Sd/-
P. Sam Koshy
Judge