

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No.2640 of 2016**

1. R. Murgesh, aged about 58 years, S/o Shri Raju, R/o Shubham Vihar, Bilaspur, District Bilaspur, Chhattisgarh
2. Suraj Constructions through its partner Satish Agrawal, aged about 51 years, S/o Murari Lal Agrawal, R/o 24, I.C.C. Transport Nagar, Korba, District Korba, Chhattisgarh
3. Pitambara Constructions Company through its partner Rakesh Mishra, aged about 43 years, S/o Late R.S. Mishra, R/o Irrigation Colony Rampur, Korba, District Korba, Chhattisgarh
4. Manoj Kumar Agrawal, aged about 43 years, s/o Shri Govind Agrawal, R/o MIG 2/75, Sagar Vihar, Korba, District Korba, Chhattisgarh

---- Petitioners**versus**

1. State of Chhattisgarh, through Chief Secretary, Mahanadi Bhawan, New Raipur, Chhattisgarh
2. Secretary, Public Works Department, Mahanadi Bhawan, New Raipur, Chhattisgarh
3. Secretary, Water Resources Department, Mahanadi Bhawan, New Raipur, Chhattisgarh
4. Secretary, Public Health & Engineering Department, Mahanadi Bhawan, New Raipur, Chhattisgarh
5. Secretary, Rural Engineering Works Department, Mahanadi Bhawan, New Raipur, Chhattisgarh
6. Chief Engineer, Hasdeo Basin Project, Water Resources Department, Bilaspur, District Bilaspur, Chhattisgarh
7. Engineer-in-Chief, Water Resources Department, Sihava Bhawan, Raipur, Chhattisgarh

---- Respondents

For Petitioners	:	Shri B.L. Dembra, Advocate
For State/Respondents	:	Shri Yashwant Singh Thakur, Additional Advocate General

Hon'ble Shri Deepak Gupta, Chief Justice
Hon'ble Shri Justice Sanjay Agrawal

Judgment on Board**Per Deepak Gupta, Chief Justice****26.10.2016**

1. By means of this petition, the Petitioners have prayed for grant of the following relief:

“10.1 That, the Hon'ble Court may kindly be pleased to issue appropriate direction, directing the respondent No.1 to issue appropriate direction with respect to relaxation of bid capacity of contractors upto work of

Rs.5 Crores as per annexure P/4 to all other departments.

10.2 That, the Hon'ble Court may kindly be pleased to direct the respondent No.3 to 6 to relax the condition with respect to bid capacity of the contractors when the amount of work is less than Rs.5 Crores.”

2. The main grievance of the Petitioners appear to be that now there is a single window system in the State of Chhattisgarh and registration of the Contractors is made under the said single window system. This is called as the Unified Registration System and once a Contractor is registered under the said system, he is entitled to bid in tenders floated by all the departments of the State of Chhattisgarh. The Public Works Department has issued certain directions that for any tender of the value upto Rs.5 Crores, no insistence should be made for the bid capacity of the Contractor/Tenderer. The prayer of the Petitioners is that such a direction should be made applicable in all the departments of the State of Chhattisgarh.
3. We are totally unable to comprehend how this Court can issue such directions. It is for the authorities, which invite tenders, to decide what conditions should be imposed in the tenders.
4. Therefore, we find no merit in the writ petition. The petition is accordingly dismissed.

Sd/-

(Deepak Gupta)
CHIEF JUSTICE

Sd/-

(Sanjay Agrawal)
JUDGE