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HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No. 229 of 2017**

D.Biswas S/o Shri B. C. Biswas, Aged About 50 Years R/o. K-8, Kanchghar Colony, Jabalpur, District Jabalpur (Madhya Pradesh) Presently Through Power of Attorney Holder Dilip Selokar S/o Shri P. Selokar, Aged About 45 Years, R/o. K-23, M. P. Housing Board, Kanchghar Colony, Jabalpur, District Jabalpur (Madhya Pradesh)

---- Petitioner**Versus**

1. Chief General Manager, Chhattisgarh Telecom Circle Vidhan Sabha Road, Khamardih, Raipur, Raipur (Chhattisgarh)
2. Superintending Engineer (Electrical), Office of Chief General Manager, Bharat Sanchar Nigam Limited, Electrical Zone, 4th Floor, Auto Telephone Exchange, G. E. Road, Raipur (Chhattisgarh)
3. Executive Engineer (Electrical), Bharat Sanchar Nigam Limited, Electrical Division, 1st Floor, Kumud Niwas, Tikarapara, Bilaspur, District Bilaspur (Chhattisgarh)

---- Respondents

For Petitioner	: Shri Raghvendra Pradhan, Advocate.
For Respondents	: Shri Sandeep Dubey, Advocate alongwith Shri Nihar Ranjan Mallik, Superintending Engineer.

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

Order on Board**Per Deepak Gupta, Chief Justice****09/02/2017**

1. The Petitioner has filed this petition challenging the action of the Respondents by which they have rejected his bid and further debarred the Petitioner from participating in the tender process.
2. Learned counsel for the Petitioner submits that the Petitioner submitted his bid pursuant to Notice Inviting Tender No. 15/EE(E)/BSNL/BSP/2016-2017. His bid was rejected on the ground that the Petitioner had been debarred

from the process of tender for a period of six months. In the petition, the Petitioner claimed that a letter whereby the Petitioner has been debarred, has been issued on 26.04.2016 and the Petitioner was barred only till 26.10.2016. After 26.10.2016, he was eligible to bid and his bid has wrongly been rejected.

3. Reply was called for from the Respondents and the Superintending Engineer was asked to produce the record. In the reply, it is fairly and candidly admitted that the Respondents have wrongly interpreted the letter and the Respondents agree that the Petitioner could only be debarred upto 26.10.2016 and thereafter he is eligible to bid.
4. In view of the aforesaid submission, the writ petition is allowed. The financial bid of the Petitioner be opened and thereafter further action be taken in accordance with law.

Sd/-

(Deepak Gupta)
CHIEF JUSTICE

Sd/-

(Sanjay Agrawal)
JUDGE