

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 2198 of 2017

- Jai Durga Construction Aged About 50 Years Through Its Proprietor Arvind Kumar Sharma S/o Late Shri Yogendra Sharma, R/o Mig-1/95 S. V. B. P. Nagar, Near Sant Kabir Bhawan Jamnipali Korba, District- Korba, Chhattisgarh.

---- Petitioner

Versus

1. National Thermal Power Corporation Through Its General Manager Operation Stage 3 (1*500m.W) N. T. P. C. Korba, District- Korba, Chhattisgarh.
2. Utility Powertech Limited, Office At Krishna Vihar, N. T. P. C. Township Jamnipali Korba, District Korba, Chhattisgarh.

---- Respondents

For Petitioner : Shri Sushobhit Singh, Advocate
For the respective Respondents : Shri BD Guru and Shri Vinod
Deshmukh, Advocates

Hon'ble Shri Thottathil B. Radhakrishnan, Chief Justice
Hon'ble Shri Justice Sharad Kumar Gupta

Order on Board

Per Thottathil B. Radhakrishnan, Chief Justice

07.09.2017

1) Heard the respective learned counsel for the petitioner and respondents- 1 & 2.

2) The petitioner seeks direction to the first respondent- NTPC and the second respondent- UPL to provide tender documents to the petitioner to participate in the tender for maintenance of external and internal water supply system of PTS, TTS and CISF colony for the year 2017-18. Through its return dated 27.08.2017, the second respondent has placed on record the fact that the first respondent- NTPC had deleted the name of the petitioner. Obviously, therefore, the second respondent was incapacitated from extending services to the NTPC utilising the services

that may be rendered by the petitioner if the contract was awarded to him. We, therefore, do not see any legal right in the petitioner to seek his inclusion in the zone of consideration by the second respondent. Hence, we see no merit in this Writ Petition. We also do not see any reason why the NTPC should be compelled through this Writ Petition to further proceed to consider the case of the petitioner. Nor do we see any ground fair enough to proceed with judicial review as to why the NTPC deleted the petitioner from the list of supply providers. Hence, this Writ Petition fails.

3) In the result, this Writ Petition dismissed.

Sd/-
(Thottathil B. Radhakrishnan)
Chief Justice

Sd/-
(Sharad Kumar Gupta)
Judge