

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No. 2204 of 2017**

- Anjani Kumar Singh S/o Shri Abhimanyu Singh, Aged About 42 Years C- Class Contractor, R/o Near Bus Stand Bagicha, Tahsil Bagicha Civil & Revenue District Jashpur Chhattisgarh

---- Petitioner**Versus**

1. State of Chhattisgarh Through Secretary, Rural & Urban Development Department, Mahanadi Bhawan, Mantralaya, New Raipur, District Raipur (Chhattisgarh)
2. The Collector, Jashpur, District Jashpur (Chhattisgarh)
3. Chief Municipal Officer, Nagar Panchayat Kunkuri, Jashpur, District Jashpur (Chhattisgarh)
4. Vikash Kumar Jaiswal, S/o Shri Raj Kumar Jaiswal, R/o Near Bus Stand Bagicha, Tahsil Bagicha Civil & Revenue District Jashpur Chhattisgarh

---- Respondents

For Petitioner	:	Shri Manoj Kumar Sinha, Advocate
For Respondents/State	:	Shri U.N.S. Deo, Government Advocate

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

Order on Board**Per Thottathil B. Radhakrishnan, Chief Justice****30.08.2017**

1. Heard the learned counsel for the Petitioner and the learned Government Advocate.
2. The Petitioner challenges the award of contract for supply of labour for the year 2017-18, in terms of Annexure- P/2, invitation of offers dated 27.03.2017. This writ petition is filed on 08.08.2017, after the work was awarded to the 4th Respondent.
3. The Petitioner participated and competed in the tender along with the 4th Respondent. He did not challenge Clause - 7 of Annexure – P/2, before he took his chance and contested under the terms of Annexure – P/2. On this short

ground of having participated in the tender following Annexure – P/2, this writ petition could be dismissed by holding that the writ petitioner has challenged the conditions of contract after joining the contest on the basis of those conditions.

4. That position notwithstanding, Clause - 7 provides that the tenderer should have done similar work atleast for 50% of the turnover for one among the 3 preceding years. The year for which Annexure-P/2 is issued is 2017-18. Obviously, therefore, the document at page 26, which is a certificate showing that the Petitioner had done the work for the year 2012-13 is insufficient because that is earlier than the period of the preceding 3 years. This way also, this writ petition is bound to fail.
5. For the aforesaid reasons, we do not find any ground to entertain this writ petition.
6. In the result, the writ petition is dismissed.

Sd/-
(Thottathil B. Radhakrishnan)
Chief Justice

Sd/-
(Sharad Kumar Gupta)
Judge