

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No. 1222 of 2018**

- New Bengal Bihar Road Lines Through Its Proprietor Tej Bahadur Singh, S/o Ram Sagar Singh , Aged About 33 Years, Rajiv Nagar , Khursipar Ward No. 29 Bhilai, District Durg Chhattisgarh.

---- **Petitioner****Versus**

1. State Of Chhattisgarh Through Secretary - Cum - Commissioner Department Of Excise , Ministry Mahanadi Bhawan Naya Raipur District Raipur Chhattisgarh.
2. The Collector District Raigarh Chhattisgarh.
3. District Excise Officer Raigarh, District Raigarh Chhattisgarh.
4. Chhattisgarh State Marketing Corporation Limited, Through Its Managing Director First Floor , Excise Building Chhokra Nala, Labhandi Raipur District Raipur Chhattisgarh.
5. District Director, Chhattisgarh State Marketing Corporation Limited Raigarh District Raigarh Chhattisgarh.
6. Dubey Transport Through Its Proprietor Awadhesh Dubey, Vyapar Vihar Bilaspur District Bilalspur Chhattisgarh.

---- **Respondents**

For Petitioner	: Shri Mateen Siddiqui, Advocate.
For Respondents No.1 to 3/State	: Shri Prafull N. Bharat, Additional Advocate General.
For Respondents No. 4 & 5	: Shri Shobhit Koshta, Advocate
For Respondent No.6	: Shri Ravindra Agrawal, Advocate

Hon'ble Shri Ajay Kumar Tripathi, Chief Justice**Hon'ble Shri Justice Pritinker Diwaker****Order on Board****Per Ajay Kumar Tripathi, Chief Justice****09.07.2018**

1. Heard the learned counsel for the parties.
2. We are not satisfied with the line of arguments made on behalf of the Petitioner that *e-mail* is not a valid mode of communication. Communication by *e-mail* about the offer he being L-2 is not disputed. If that is so, then the failure on his part to open the in-box of the *e-mail* to retrieve the information and

communication well within the time fixed has been the reason for his failure to get the contract for transportation and now a third party right has been created.

3. In view of the above, the present writ petition stands dismissed with liberty that if the Petitioner wants, he has freedom to assail the settlement already made in favour of the third party.

Sd/-

(Ajay Kumar Tripathi)
Chief Justice

Sd/-

(Pritinker Diwaker)
Judge