

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 1276 of 2018**

- M/s Rajesh Kumar Agrawal Through Its Partner Mr. Rajesh Kumar Agrawal, Station Road, Kharsiya, District Raigarh Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Public Works Department, Through Its Secretary, Mantralaya, Mahanadi Bhawan, Naya Raipur Chhattisgarh.
2. Engineer-In-Chief, Public Works Department, Naya Raipur, Chhattisgarh.
3. Chief Engineer, (In-Charge Tender Cell), Office Of The Engineer-In-Chief, Nirman Bhawan, Sector 19, North Block, Naya Raipur Chhattisgarh.
4. Hill-Brow Metalics And Construction Pvt. Ltd., Chandni Chowk, District Raigarh Chhattisgarh.
5. M/s Ashok Kumar Kejriwal, Pratapganj, Sarangarh, District Raigarh Chhattisgarh

---- Respondents

For Petitioner	:	Shri Khitija Sharma, Advocate
For Respondents/State	:	Shri A.S. Kachhawaha, Additional Advocate General

Hon'ble Shri Justice Prashant Kumar Mishra &**Hon'ble Shri Justice Ram Prasanna Sharma****ORDER****Per Prashant Kumar Mishra, J****15/05/2018**

1. Heard.
2. Learned counsel for the petitioner would submit that from paragraph

18 of the Return filed by the respondents, it appears that the respondents are willing to consider the petitioner's representation.

3. Paragraph 18 of the Return is reproduced herein below :

18. Reply to paras 8.10 & 8.11 of the petition :-

That, the contentions advanced in these para merit no consideration. The impugned communication dated 23/03/2018 points out that the tender of the petitioner was erroneously opened though it was having some defects. The petitioner was advised that he can file a representation to satisfy the answering/official respondents on the aforesaid points that the petitioner's work experience is in accordance with the tender conditions. Thus, the contention of the petitioner that the opportunity given to him is only an eye wash the petitioner can very well appraise the authorities that the decision taken by the answering respondents is not correct and the experience certificate filed by him was not in accordance with the tender conditions.

4. In view of the above, Shri Sharma would pray that the writ petition may be disposed of with a direction to the respondents to consider the petitioner's representation already preferred by him on 24.3.2018 vide Annexure P/3.

5. Considering the entire fact situation of the case and particularly paragraph 18 of the Return filed by the State, the Writ Petition is disposed of with a direction that the respondents shall consider the petitioner's representation and decide the same within a period of six weeks from today.

Sd/

(Prashant Kumar Mishra)
Judge

Sd/

(Ram Prasanna Sharma)
Judge