

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No. 2318 of 2018**

Mahamaya Security Services New B.S.N.L. Office Road, Darripara, Ambikapur, District Surguja Chhattisgarh. Through Alok Dwivedi, S/o Shri Ram Niwas Dwivedi Aged About 34 Yrs. R/o New B.S.N.L. Road, Darripara Police Station Madipur Chowki, Ambikapur, District Surguja Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Health And Medical Education, Mahanadi Bhawan, Naya Raipur, District Raipur Chhattisgarh.
2. Director, Director Of Medical Education, Indrawati Bhawan, Naya Raipur, Police Station Naya Raipur, District Raipur Chhattisgarh.
3. Medical Superintendent, Dks Post Graduate Institute And Research Centre, District Raipur Chhattisgarh.

---- Respondents

For Petitioner : Shri KPS Gandhi, Advocate.

For Respondent/State : Shri Prafull N Bharat, Additional Advocate General.

Hon'ble Shri Ajay Kumar Tripathi, Chief Justice

Hon'ble Shri Prashant Kumar Mishra, Judge

Order on Board**Per Ajay Kumar Tripathi, Chief Justice****17/08/2018**

1. Heard counsel for the parties.
2. The Notice Inviting Tender (NIT) dated 24.7.2018 is the cause of action for the petitioner to file the present writ petition.
3. Learned counsel for the petitioner submits that certain terms and conditions laid down in the eligibility criteria for providing security services

are onerous and are difficult to comply, therefore, the same should be struck down. Some of those requirements has been reproduced by the petitioner in para 8.6 of the writ petition.

4. Since none of those conditions laid down therein seems to violate any law or statute, therefore, merely because the present petitioner, who wants to bid, does not fulfill those requirements, the eligibility conditions cannot be struck down to be tailor made according to his eligibility and capability.
5. We do not find any reason to interfere with the terms and conditions in the NIT because the tenderer knows best as to what kind of service provider and what kind of persons have the capability to provide the service, for which, NIT has been issued.
6. The writ petition has no merits and it is accordingly dismissed.

Sd/-
(Ajay Kumar Tripathi)
CHIEF JUSTICE

Sd/-
(Prashant Kumar Mishra)
JUDGE