

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 2293 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, Age About 34 Yrs., R/o New B.S.N.L. Road, Darripara Police Station- Madikpur 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.

---- Respondent

For Petitioner	Mr. KPS Gandhi, Advocate
For Respondent /State	Mr. Prafull Bharat, Additional Advocate General

Hon'ble Shri Ajay Kumar Tripathi, Chief Justice
Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board By**Ajay Kumar Tripathi, Chief Justice****14/8/2018**

1. Heard.
2. The Notice Inviting Tender (NIT) dated 25.7.2018 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