

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No. 2820 of 2018**

- New Heera Art, a proprietorship firm through its sole proprietor – Nitin Baid, S/o Suresh Baid, aged about 30 years, R/o Sadar Bazar, Dhamtari, District Dhamtari (C.G.)

---- Petitioner

Versus

1. State of Chhattisgarh, Through Secretary, Department of Home, Mahanadi Bhawan, Mantralaya, Naya Raipur (C.G.)
2. Director, Health Services, Indrawati Bhawan, Raipur (C.G.)
3. Division Joint Director, Health Services Raipur Division, Old Nursing Hospital, DKS Bhawan, Naya Raipur (C.G.)
4. The Collector, Dhamtari, District Dhamtari (C.G.)
5. Chief Medical Health Officer, Dhamtari, District Dhamtari (C.G.)
6. Medical Officer/Store In-charge, District Hospital, Dhamtari, District Dhamtari (C.G.)
7. District Account Manager (NHM), Dhamtari, District Dhamtari (C.G.)
8. Junior Auditor, Local Office, Dhamtari, District Dhamtari (C.G.)
9. In-charge Storekeeper, Local Office, Dhamtari, District Dhamtari (C.G.)

---- Respondents

For Petitioner	:	Shri Malay Shrivastava, Advocate.
For Respondent/State	:	Shri U.N.S. Deo, Government Advocate.
For Respondent No.7	:	Shri C. Jayant K. Rao, Advocate.

Hon'ble Shri Ajay Kumar Tripathi, Chief Justice**Hon'ble Shri Justice Parth Prateem Sahu****Order on Board****Per Ajay Kumar Tripathi, Chief Justice****19.11.2018**

1. Heard counsel for the Petitioner, learned Government Advocate for the State and counsel for Respondent No.7.

2. There are one to many controversies which have been created by the Petitioner in the writ application as well as the rejoinder application in the manner in which the tenders in question were processed as well as decision taken to annul the tender and go for a re-tender.
3. In totality of the facts and circumstances and keeping in mind that there should be fairness in such decision making, without going into the issue and the controversies under which the earlier NIT was processed, the Court is satisfied that it will be in the interest of things that a new NIT is issued. The new NIT should be clear and categorical in relation to the bids under various heads which they are looking for in terms of response. The decision in terms of the new NIT will be taken in a fair and honest manner.
4. The issue with regard to the previous tender must be closed. Writ is otherwise dismissed.

Sd/-

(Ajay Kumar Tripathi)
Chief Justice

Sd/-

(Parth Prateem Sahu)
Judge