

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 229 of 2019

- Abdul Samad S/o Late Sahabuddin Aged About 66 Years
Pro. Saif Medical Store, R/o Tahsil Chowk, Pendra Road,
District Bilaspur Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary Department
Of Health And Family Welfare, Mantralaya, Mahanadi
Bhawan, Naya Raipur, District Raipur Chhattisgarh.
2. Jeevan Deep Samiti Sanitorium Pendra Road, Sub Division
Gaurela, District Balaspur Chhattisgarh Through President.
3. Sub Divisional Officer (R) Pendra Road, District Bilaspur
Chhattisgarh, Ex. Officio Chairman, Jeevan Deep Samiti
(Executive Committee For Allotment On Rent), District :
Bilaspur, Chhattisgarh.
4. In Charge Medical Officer Sanitarium Ex. Officio Secretary,
Jeevan Deep Samiti (Executive Committee For Allotment Of
Rent)

---- Respondents

For Petitioner	: Shri Yogendra Chaturvedi, Advocate
For Respondent-State	: Shri Avinash Singh, P.L.

Order On Board

By

Hon'ble Mr. Justice Prashant Kumar Mishra

04/02/2019

1. In the year of 2010, the Jeevan Deep Samiti Sanatorium, Pendra Road invited applications for operating the Medical Store within its premises and eventually the shop was allotted to one Vikas Sharma. An agreement in his favour was executed for a period of 3 years, during which the allottee operated the Medical Store, but subsequently he has closed the Medical Store, which is now closed for last about 3 years.
2. Petitioner prays for consideration of his application for allotment of Medical Store on the ground that in the year 2010, he was the second most suitable candidate.
3. It appears, once the tender process was completed and allotment was made in the year 2010, the same gets exhausted and any other application preferred by the petitioner or by some other person has already lived its life, therefore, direction cannot be issued to consider the petitioner's application for allotment of Medical Store. However, at the same time, the Jeevan Deep Samiti Sanatorium, Pendra Road or any other Authority who had allotted the Medical Store in the year 2010 is bound in law to allot the Medical Store under a process known to law and not by any surreptitious means. If the said Samiti invites applications or proceeds to auction the Medical Store, the petitioner would be at liberty to participate in the said

process.

4. The writ petition stands disposed of, subject however to the above observation.

Sd/-

Prashant Kumar Mishra
Judge

Ankit