

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No. 999 of 2019**

Omega Elevators Having Its Registered Office 11, Sanjeev Bag Society, New Sharda Mandir Road, Paldi, District Ahmedabad (Gujarat). Pin Code - 380007.

Through Its Authorized Representative, Piyush Kumar Ramanbhai Chaudhari, S/o Shri Raman Bhai Chaudhari, Aged About 33 Years, Branch Incharge, Omega Elevators, 515/B, 5th Floor, Ravi Bhavan, Jai Stambh Chowk, District Raipur Chhattisgarh Pin Code - 492001.

---- Petitioners**Versus**

1. State of Chhattisgarh Through Principal Secretary, Department Of Housing And Environment, Government Of Chhattisgarh Mantralaay, Mahanadi Bhawan, New Raipur, District Raipur Chhattisgarh. Pin Code - 492002.
2. Chairman Cum Managing Director, Chhattisgarh Police Housing Corporation Limited, Old Police Headquarter, Sib Building, District Raipur Chhattisgarh Pin Code - 492001.

---- Respondents

For Petitioner	: Shri Amrito Das and Shri K. Rohan, Advocates.
For Respondent/State	: Shri Siddharth Dubey, Advocate.
For Respondent No. 2	: Shri Sudeep Johri and Shri Manish Nigam, Advocates.

Hon'ble Shri P.R. Ramachandra Menon, Chief Justice
Hon'ble Shri Parth Prateem Sahu, Judge

Order on Board**Per P.R. Ramachandra Menon, Chief Justice****12/07/2019**

1. The Petitioner has approached this Court with the following prayers:

"a) Call for the entire records pertaining to the present case.

b) Hold that the arbitrary Condition at Clause no. 24 in Notice

Inviting Tender (NIT) dated 01.03.2019 (Annexure P/1) is manufacturer specific and therefore, illegal.

c) Issue a Writ of *Certiorari* quashing and setting aside the arbitrary Condition at Clause no. 24 in the Notice Inviting Tender (NIT) dated 01.03.2019 (Annexure P/1) which limits the tender to only the brands mentioned in the NIT.

d) Issue a Writ of *Mandamus* directing the Respondent Authorities to consider the objections raised by the Petitioner.

e) Issue a Writ of *Mandamus* directing the Respondent authorities to permit the Petitioner to take part in the NIT proceedings.

f) Issue a Writ of *Mandamus* directing the Respondent Authorities to consider the candidature of the Petitioner and its' Bid for award of the Tender Contract.

g) Grant the cost of the petition to the Petitioner firm.

h) Grant any other relief as deemed fit and proper in the facts and circumstances of the case."

2. The Respondents have entered appearance and completed their pleadings.
3. When the matter is taken up for consideration, learned counsel for the Petitioner seeks permission of this Court to withdraw the writ petition.
4. Permission is granted. Writ petition is dismissed as withdrawn.

Sd/-
(P.R. Ramachandra Menon)
CHIEF JUSTICE

Sd/-
(Parth Prateem Sahu)
JUDGE