

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR
WPC No. 1580 of 2018

Maa Danteshwari Suppliers Geedam Road, Near Dau Mill, Jagdalpur, District Bastar, Chhattisgarh. Through Dev Kumar Jha, S/o Late Shri A. K. Jha, Aged About 40 Years. R/o Geedam Road, Near Dau Mill, Jagdalpur, District Bastar, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Health And Medical Education, Mahanadi Mantralaya, Naya Raipur, Post Office And Police Station Naya Raipur, District Raipur, Chhattisgarh.
2. Director, Directorate Of Medical Education, Indrawati Bhawan, Naya Raipur, Post Office And Police Station Naya Raipur, District- Raipur, Chhattisgarh.
3. Medical Superintendent- Cum- Academic Incharge, DKS Post Graduate Institute And Research Centre, Raipur, Chhattisgarh.

---- Respondents

For Petitioner	: Shri Anshul Singhaniya, Advocate on behalf of Shri Rakesh Kumar Jha, Advocate.
For Respondent/State	: Smt. Fouzia Mirza, Additional Advocate General.

Hon'ble Shri P.R. Ramachandra Menon, Chief Justice
Hon'ble Shri Manindra Mohan Shrivastava, Judge

Order on Board

14/05/2019

Per P.R. Ramachandra Menon, Chief Justice

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

“10.1 That, this Hon'ble Court may kindly be pleased to quash the tender dated 12/5/2018 (Annexure P/1) issued by the respondent No.2 for providing dietary and its related services.

10.2 That, this Hon'ble Court may kindly be pleased to direct the respondent authorities to issue the fresh tender

for the said work i.e. for providing dietary and its related services in accordance with law and by considering the conditions of earlier tenders.

10.3 Cost of the petition may also be granted to the petitioner.

10.4 Any other relief, which this Hon'ble Court deems fit and proper, may also kindly be granted to the petitioner, in the interest of justice."

2. When the matter came up for consideration before this Court on 08.06.2018, the following interim order was passed virtually permitting the Petitioner to submit his tender :-

"Shri Rakesh Kumar Jha, Shri Anand Kumar Shukla and Shri RK Pali, Advocates for the respective petitioners.

Shri Dhiraj K Wankhede, Govt. Advocate for the State.

Learned counsel for the State shall seek instructions in the matter.

List the matters in the week commencing 18th June, 2018.

In the meanwhile, the petitioners in both the petitions may submit their tender, the validity of which shall be considered by the regular Division Bench in the week commencing 18th June, 2018.

Accordingly, IA Nos.2 & 3 application for urgent hearing and application for hearing the case during summer vacation stand disposed of."

3. Today, it is brought to the notice of this Court by the learned counsel for the parties including the learned Additional Advocate General that the tender floated by the Respondents is not intended to be proceeded with any further and the same

has already been cancelled. This position is affirmed by the learned counsel for the Petitioner as well.

4. In the said circumstances, no cause of action survives. Writ petition stands dismissed.

Sd/-

(P.R. Ramachandra Menon)
CHIEF JUSTICE

Sd/-

(Manindra Mohan Shrivastava)
JUDGE

Anu