

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 2347 of 2019

Jitendra Kumar Vishwakarma S/o Lt. Channu Lal Vishwakarma
Aged About 31 Years R/o Geedam Naka, Rajendra Nagar Ward,
Narayanpur, District Bastar Chhattisgarh.

Through Power Of Attorney Holder Jaydeep Singh Bhadauriya, S/o
Shri Dheeraj Singh Bhadauriya, Aged About 40 Years, Village And
Post Tengapal, Tehsil Chhindagadh, District Sukma Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of
Food, Civil Supplies And Consumer Protection, Indravati Bhawan,
Mantralaya, Atal Nagar, P.O. Rakhi, District Raipur Chhattisgarh.
2. Managing Director Chhattisgarh State Civil Supplies Corporation
Limited, Office Complex, Sector - 24, Atal Nagar, Raipur
Chhattisgarh.
3. District Manager Chhattisgarh District Civil Supplies Corporation
Limited, Sukma, District Sukma, Chhattisgarh.
4. General Manager (Transportation) Chhattisgarh State Civil
Supplies Corporation Limited, Block No. 07A, Second Floor, Office
Complex, Sector - 24, Atal Nagar, Raipur Chhattisgarh.
5. Krishna Raj Singh S/o Lt. Lallu Singh Aged About 73 Years R/o
Village And Post Dantewada, G.A.D. Colony, Dantewada, District
Dantewada Chhattisgarh.
6. District Transport Officer, South Bastar, Dantewada Chhattisgarh.

--- Respondents

For petitioner- Shri Anish Tiwari, Advocate.
For State- Shri Sudeep Verma, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

18/07/2019

Heard.

1. Instant petition is filed for the reason that a transport contract was
awarded to respondent No.5 in the month of March 2019. The said
contract having been awarded, subsequently it revealed that on the basis
of the false document, the contract was bagged by the respondent No.5.
Consequently, the contract was annulled.

2. The petitioner contends that as per the terms of grant of contract if the contract is cancelled on the basis of the fake document, then certain penalty were to be inflicted. However, in the present case despite the fact that finding was arrived at that the respondent No.5 has obtained the contract on the basis of false document, subsequently the same having been cancelled the said penalty has not been inflicted despite the application filed by the petitioner on 7/03/2019.

3. Prima facie perusal of the document shows that contract given to the respondent No.5 was subsequently cancelled on the ground that certain wrong statement of fact about vehicle which were to be used in the transport were found. Be that as it may, the application of the petitioner marked as Annexure P-1 is still pending with the respondent No.3. In the facts of this case, the same is directed to be decided within a period of 45 days from the date of receipt of the order. It is made clear that this court has not made any observation on the merits of the case.

4. With such observation, the petition stands disposed of.

Sd/-

(Goutam Bhaduri)

JUDGE