

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURWPC No. 2555 of 2018

- Babu Lal Jaiswal S/o Late Shri Rameshwar Jaiswal, Aged About 55 Years Occupation Civil Contractor, R/o Village-Sonthi (Champa), Tahsil-Champa, Civil And Revenue District Janjgir Champa, Chhattisgarh. ---- **Petitioner**

Versus

1. State Of Chhattisgarh Through The Secretary, Panchayat And Rural Development Department, Mahanadi Bhawan New Raipur, Civil And Revenue District Raipur, Chhattisgarh.
2. The Chief Engineer, Panchayat And Rural Development Department, Sirpur Bhawan Raipur, Civil And Revenue District Raipur, Chhattisgarh.
3. The Superintendent Engineer Panchayat And Rural Development Department, Bilaspur, Division Bilaspur, Civil And Revenue District Bilaspur, Chhattisgarh.
4. The Executive Engineer, Rural Engineering Service, Division Janjgir Champa, Civil And Revenue District Janjgir Champa, Chhattisgarh. ---- **Respondents**

For Petitioner :- Mr. Paras Mani Shrivastava, Advocate.
For Respondent-State :- Mr. R.S. Baghel, Dy. A.G.

Hon'ble Shri Prashant Kumar Mishra, Ag.CJ

Hon'ble Shri Parth Prateem Sahu, J.
Order On Board

By

Prashant Kumar Mishra, Ag. CJ

03/04/2019

1. In response to NIT for construction of Higher Secondary School Building Cum Chowkidar Quarter, Boundary Wall, With Water Supply, Electrical & Sanitary Fittings at Village-Rahoud, Block Pamgarh, District-Janjgir-Champa (C.G.), the petitioner submitted his tender along with required documents. His bid has been rejected for the reason that while submitting annual turnover certificate from the Chartered Accountant for last three financial years the petitioner did not supply the break up of civil works and total works of each financial year. The said submission was necessary in terms of clause 13 (1) (vii) of the information and instructions to the bidders contained in Annexure-K of the tender document.
2. On the last date, we had required the petitioner to satisfy us as to how the petitioner would come out of the reason assigned by the respondents for not considering his tender. The petitioner has not filed any fresh document to demonstrate that the reasons mentioned in the bid rejection document is contrary to the terms of tender.
3. Perusal of the turnover certificate filed by the petitioner along with tender document, which has been annexed as Annexure-R2 to the return of the State, would reveal that the petitioner has submitted the gross contract work in column 3

of the chart without providing break up of the civil work for each of the year. Thus, the certificate was not in conformity with Clause 13 (1) (vii) of the Annexure-K of tender document.

4. In view of the above, no case is made out for interference in this Writ Petition.

5. Accordingly, the Writ Petition is dismissed.

Sd/-

(Prashant Kumar Mishra)
Acting Chief Justice

Sd/-

(Parth Prateem Sahu)
Judge

Ayushi