

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 3347 of 2019**

- Dinesh Mishra S/o Nandram Mishra Aged About 57 Years Civil Contractor, Transport And General Order Supplier, R/o Line Road, Ward No.17, Naila, Janjgir, District- Janjgir-Champa, Chhattisgarh.

---- Petitioner**Versus**

1. State of Chhattisgarh Through The Secretary, Department of Co-Operative, Mahanadi Mantralya, Naya Raipur, Atal Nagar, Post Office And Police Station Naya Raipur, Atal Nagar, District- Raipur, Chhattisgarh.
2. Chhattisgarh State Co-Operative Marketing Federation Limited Through Its Managing Director, 6th Floor, Tower C Commercial Complex, CBD, Sector-21, Atal Nagar, Raipur, Chhattisgarh.
3. General Manager Chhattisgarh State Co-Operative Marketing Federation Limited 6th Floor, Tower C Commercial Complex, CBD, Sector-21, Atal Nagar, Raipur, Chhattisgarh.
4. District Marketing Officer Chhattisgarh State Co-Operative Marketing Federation Limited, Janjgir, District- Janjgir-Champa, Chhattisgarh.

---- Respondents

For Petitioner : Shri Vivek Shrivastava, Advocate
 For Respondent-State : Shri Sudeep Agrawal, Deputy Advocate General.
 For Respondent-Federation : Shri Ashish Surana, Advocate.

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.****17/10/2019**

1. The Petitioner has filed this writ petition with the following prayers:

“10.i. That, this Hon'ble Court may kindly be pleased to direct the respondent authorities to specify/clarify clause 19 of the NIT for the purpose of Hamali Work during the Kharif season 2019-20 before opening of the price bid i.e. as to what is .. rate and what is ..rate

10.ii That, this Hon'ble Court may also kindly be pleased to direct the respondent authorities not to open the price bid unless and until specifying/clarifying clause 19 of the NIT for the purpose of Hamali Work during the Kharif season 2019-20.

10.iii Cost of the petition may also be granted to the petitioner.

10.iv 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 04.10.2019, the following order was passed:

"The learned counsel representing the Respondent-Federation submits that steps for finalizing the price bid are going on and since the Petitioner has also submitted his price bid, the proceedings will be brought to the notice of this Court by filing supplementary proceeding and seeks to a posting on 17.10.2019.

Post it accordingly."

3. The learned counsel appearing for Respondent-Federation submits that when the technical bids submitted by the various tenderers, who participated in the bid were considered it was seen that nobody had qualified to participate in the bid. In the said circumstance, the relief sought for by the Petitioner has become otiose and no adjudication is thus required by this Court. We find force in the said submission.
4. Accordingly, the writ petition stands dismissed without prejudice to the rights and liberties of the Petitioner to approach this Court by filing appropriate proceedings if at all, if any further cause of action arises.

Sd/-
(P.R. Ramachandra Menon)
Chief Justice

Sd/-
(Parth Prateem Sahu)
Judge