

HIGH COURT OF CHHATTISGARH, BILASPUR

Writ Petition (C) No. 1648 of 2020

Shailendra Bahadur Singh S/o Late Awdh Bihari Singh Aged About 47 Years
Director Of Shailendra Bahadur Singh Infra Private Limited (Class A Contractor)
Unique Id No. CGeR 11153, R/o B-101, Lane-4, Swarnbhoomi Apartment Vidhan
Sabha Road, Saddu, Raipur, Chhattisgarh

---- Petitioner

Versus

1. State of Chhattisgarh Through The Secretary, Public Work Department (P.W.D.), Mahanadi Bhawan, Mantralaya, Atal Nagar, Nawa Raipur District Raipur Chhattisgarh
2. Chief Engineer P. W. D. Bastar Zone, Jagdalpur District Bastar Chhattisgarh (Email Id Ce.Bastar @Gov.In)
3. M/s Ram Sharan Singh Through Shri Ram Sharan Singh House No. 56 Shanti Nagar, Sukma District Sukma Chhattisgarh
4. M/s G. C. Jain Builders And Engineers Parshvg Department, Choubey Colony, Raipur Chhattisgarh
5. Vinod Singh Rathore A Class Connector, Main Road Sukma Chhattisgarh

---- Respondents

For Petitioner	: Shri Neeraj Choubey, Advocate.
For Respondent/State	: Shri Vikram Sharma, Deputy Government Advocate.
For Respondent No. 3	: Shri Vivek Sharma, Advocate.

Hon'ble Shri P. R. Ramachandra Menon, Chief Justice

Hon'ble Shri Sanjay Agrawal, Judge

Order on Board

Per, P. R. Ramachandra Menon, Chief Justice

16.10.2020

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

"I. That, the Hon'ble Court may be pleased to issue an appropriate writ in the nature of mandamus or certiorari and quash/set aside the decision taken by the respondent No. 2 regarding the disqualification of the petitioner and the selection of the respondent No. 3.

II. That, the Hon'ble Court may be pleased to issue the appropriate direction to the respondent authority of the State Government to recall the selection of the respondent No. 3 and consider the bids of the all the eligible participant who fulfilled the requisite document as sought by the respondent authority, encoding the petitioner.

III. Any other relief/reliefs, which this Hon'ble Court may think fit and proper in the facts and circumstances of the case, with cost of the petition, may also please be granted to the Petitioner.”

2. When the matter was taken up for consideration on 07.08.2020, the following order was passed:

“The grievance is with regard to the rejection of the technical bid of the petitioner and as proposed steps to allot the tender in favour of the third respondent.

Mr. Vikram Sharma, the learned counsel representing the State submits that pursuant to the second tender notification in connection with the same subject matter, four bidders participated; among whom three participants including the petitioner came to be disqualified. It is also pointed out that, on coming across the defects, letters were issued to the said participants including the petitioner, as borne by Annexure P/5 and it was after considering all the relevant facts and figures, that the technical bid came to be rejected. The learned counsel seeks for time to file a detailed statement in this regard.

Post it for further consideration on 17.08.2020.”

3. Today, when the matter is taken up for further hearing, it is brought to the notice of this Court that the Petitioner has filed an IA (IA No. 2) seeking permission to withdraw the writ petition for the reasons felt for not pursuing the matter.
4. In the said circumstance, the said IA is allowed and the writ petition is dismissed as withdrawn.

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

Sd/-
(Sanjay Agrawal)
Judge