

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 2561 of 2019**

1. M/s Aastha Nursery, Through Its Proprietor Smt. Sandhya Sahu, W/o Bhupendra Sahu, Aged About 36 Years, Nursery Kathadih Road, Matpureyna, Resident Of Kailash Vihar, Raipura, Raipur Chhattisgarh.
2. Smt. Sandhya Sahu, W/o Bhupendra Sahu Aged About 36 Years Proprietor Aastha Nursery And R/o Kailash Vihar, Raipura, Raipur Chhattisgarh. Civil And Revenue District Raipur Chhattisgarh.

---- Petitioners**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Agriculture Corporation And Farmer Welfare, Mahanadi Bhawan, Mantralaya, Naya Raipur Chhattisgarh.
2. Managing Director, Chhattisgarh State Seed And Agriculture Development Corporation Limited, Beej Bhawan, National Highway No. 5 Raipur Chhattisgarh.
3. Upper Sugarcane Commissioner, Sanchanalay Krishi, Raipur Chhattisgarh.
4. District Manager, Chhattisgarh State Seed And Agriculture Development Corporation Limited, District Balod, Chhattisgarh.
5. Sub - Divisional Officer, Balod, District Balod Chhattisgarh.

---- Respondents

For Petitioners	:	Mr. Sameer Uraon, Advocate
For State	:	Mr. Siddharth Dubey, Dy. G.A.
For Respondents No.2 & 3	:	Mr. Prakash Tiwari, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order on Board****03/09/2020**

1. The challenge in the present writ petition is to the order Annexure P/1 dated 28.07.2018 and Annexure P/2 dated 26.06.2018. Vide the said impugned orders the respondents No.2 & 3 have vide Annexure P/1 debarred/blacklisted the petitioners for participating in the tender proceedings for a period of two years and vide Annexure P/2 the

respondents have also issued an order for withholding of any payments to be made to the petitioners.

2. Learned counsel for the petitioners at the outset makes a submission that subsequently the petitioners have approached the respondent No.2 by way of a representation/appeal dated 10.08.2018 seeking reconsideration of the two orders under challenge in this petition by the authorities concerned. According to the petitioners, his purpose would be solved if the writ petition at this juncture is disposed of directing the respondent No.2 to take a decision on the representation, so made by the petitioners to the respondent No.2 seeking reconsideration of the two orders Annexure P/1 & P/2.
3. To the limited relief that the petitioners have sought for, the State counsel does not oppose. However, the State counsel submits that by efflux of time the two years period for which the petitioners was banned has crossed over and that grievance as such does not exist any further and rest of the matters are all subject to verification of facts and also the agreement entered into between the parties.
4. Given the said submission by the counsel appearing on either side, this Court is of the opinion that the writ petition at this juncture at the request of the counsel for the petitioners can be disposed of directing the respondent No.2 to take a decision on the representation/appeal that the petitioner has made on 10.08.2018 and any reminders thereon. It is ordered accordingly
5. It is expected that the respondent No.2 shall take a decision on the said representation/appeal after due consideration of the contents that are raised in the said representation.

6. It is also expected that the respondent No.2 shall take a decision preferably within a period of 45 days from the date of receipt of the copy of this order.
7. With the aforesaid observations, the present writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Ved