

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No.2697 of 2020

M/S Sun Infrastructure, Through - Saurabh Agrawal S/o Shri
Balmukund Jajodiya, Aged About 33 Years, Address - Flat No. 204, Sai
Saran, Near Sai Mangalam, Vyapar Vihar, Bilaspur Chhattisgarh.,
---- **Petitioner**

Versus

1. Chhattisgarh Housing Board (CGHB), Through Its Commissioner, Atal Nagar, New - Raipur, District - Raipur Chhattisgarh 492002, District : Raipur, Chhattisgarh
2. The Deputy Commissioner, Chhattisgarh Housing Board (Cghb), Shankar Nagar, District - Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
3. Executive Engineer, Chhattisgarh Housing Board (Cghb) Division - 4, Sejbahar, Raipur Chhattisgarh., District : Raipur, Chhattisgarh
4. State Of Chhattisgarh, Through The Secretary, Department Of Housing And Environment, Atal Nagar, Raipur, District Raipur Chhattisgarh

--- Respondents

For Petitioner	:	Mr. Anshuman Shrivastava, Advocate
For Respondents No.1 to 3	:	Mr. Sanjay Patel, Advocate enters appears
For respondent No.4/State	:	Mr. Vikram Sharma, Dy. G.A.

DB : Hon'ble Shri Justice Manindra Mohan Shrivastava

Hon'ble Smt. Justice Vimla Singh Kapoor

Order on Board by Manindra Mohan Shrivastava, J.

05/11/2020

Heard.

1. The petitioner has filed this petition aggrieved by rejection of his technical bid in the matter of award of contract for construction of houses.
2. Learned counsel for the petitioner submits that though the petitioner has been communicated that his tender has been rejected, despite representation made in this regard, no reasons are being disclosed as to why

petitioner's technical bid has been rejected. He would submit that action of the respondent authority in proceeding to finalize tender without disclosing the ground of rejection of technical bid is patently arbitrary and unreasonable.

3. On the other hand, learned counsel for the respondent/Housing Board would submit that if a direction is given by this Court, the ground of rejection of technical bid could be communicated to the petitioner.

4. After hearing learned counsel for the parties, we are of the considered view that the petitioner is entitled to know as to what are the grounds for rejection of his technical bid. The respondent Public Authority is expected to act in a transparent and fair manner. While rejecting petitioner's technical bid, the petitioner is atleast entitled to know as to on what ground technical bid has been rejected.

5. We find that though the petitioner has submitted representation as back as on 27.10.2020, till date, no communication has taken place.

6. Considering the aforesaid situation, at this stage, we are inclined to dispose off the writ petition with the direction to respondent/Commissioner Chhattisgarh Housing Board to communicate in writing within 7 days from the date of receipt of copy of this order, the ground on which the technical bid of the petitioner was rejected. Thereafter, the petitioner is left to work out his remedy in case he has any grievance with the decision taken by the respondent in the matter of rejection of technical bid.

7. The writ petition, at this stage, is accordingly disposed off with the aforesaid direction.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Sd/-
(Vimla Singh Kapoor)
Judge