

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 196 of 2021**

- Mata Road Carrier Pvt. Ltd., Infront of Lunkad Petrol Pump, Ring Road No. 02, Hirapur, District Raipur Chhattisgarh, Through The Power of Attorney Santosh Chowdhary, Aged About 44 Years, S/o Lt. Shri Shaanu Chowdhary, R/o Hemunagar, Bilaspur, District Bilaspur, Chhattisgarh

---- Petitioner**Versus**

1. The State of Chhattisgarh Through The Secretary, Dept. Of Civil Supplies And Consumer Affairs, Room No. 15, Collectorate, Near Gandhi Chowk, Raipur District : Raipur, Chhattisgarh
2. The Food Corporation of India Through The General Manager, District- Raipur (C.G.), District : Raipur, Chhattisgarh

----Respondents

For Petitioner	: Shri YC Sharma, Advocate
For Respondent- 1/State	: Shri Ashish Tiwari, Govt Advocate
For Respondent- 2/FCI	: Shri RS Patel and Shri Palash Agrawal, Advocates

Hon'ble Shri PR Ramachandra Menon, Chief Justice &
Hon'ble Shri Justice Parth Prateem Sahu
Order on Board

Per PR Ramachandra Menon, C.J.
28.01.2021

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

"10.Relief(s) sought

(i) That, this Hon'ble Court may kindly be pleased to call for entire record pertaining to the case of petitioner for kind perusal of this Hon'ble Court.

(ii) That, this Hon'ble Court may kindly be pleased to set aside the rejection order dated 01/02/2021, 02/01/2021 & 06/01/2021 of tender bid of present petitioner passed by the respondent authority which was illegal, arbitrary and contrary to the law & direct the respondent authority to consider the candidature of present petitioner in all the 3 contracts having Tender ID 2020_FCI_587109_12 for the tender of road transport contract.

(iii) That, this Hon'ble Court may kindly be pleased to respondents directed to consider the grievances of the petitioner and to consider them in accordance with law.

(iv) Any other relief which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case be also granted."

2. When the matter came up for consideration on 22.01.2021, the following order was passed:

"Post the matter for further consideration on 28.01.2021.

'Status Quo' as on date shall be maintained till the next date of hearing"

3. A reply has been filed on behalf of the 2nd respondent referring to the sequence of events and also producing the copies of relevant documents as R2-1 to R2-5. It is brought to the notice of this Court during the course of hearing that the matter has been finalised and the work has been awarded to the successful bidder, as put forth by the learned counsel for the State.

4. In view of the turn of events, the learned counsel for the petitioner submits that the petitioner does not want to pursue the matter any further and would like to approach the respondent by way of appropriate proceedings for return of the EMD, and that the Writ Petition may be permitted to be withdrawn without prejudice to the rights and liberties as above.

5. The Writ Petition is dismissed as withdrawn, based on the submission made by the learned counsel for the petitioner.

Sd/-
(PR Ramachandra Menon)
Chief Justice

Sd/-
(Parth Prateem Sahu)
Judge