

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 2701 of 2021**

- Indian Oil Corporation Limited, Through : Chief Divisional Retail Sales Manager, Indian Oil Bhavan, Rajiv Gandhi Marg, (Vip Road), Ravigram, Telibandha, Raipur - 492006 Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh, Through : Urban Administration And Development Department, Mahanadi Bhawan, Naya Raipur, District Raipur, Chhattisgarh.
2. State Urban Development Agency, Through : Its Chairman, Naya Raipur Chhattisgarh.
3. Municipal Corporation - Raipur, Through Its Commissioner, Municipal Corporation Raipur Chhattisgarh.
4. Raipur Urban Public Transport Society (RUPTS) A Society Registered Under Chhattisgarh Societies Registration Act, 1973, Through Its Secretary/Commissioner Municipal Corporation, Raipur, Room No. 303, II Floor, Municipal Corporation Raipur, White House, Raipur Chhattisgarh.
5. Chhattisgarh Infotech Promotion Society (CHIPS) Through Its Chief Executive Officer, Raipur, Chhattisgarh.

---- Respondents

For Petitioner : Shri Anand Shukla, Adv.
 For Respondent No. 1/State : Shri Chandresh Shrivastava, Dy. A.G.
 For Respondents No. 2 to 4 : Shri Pankaj Agrawal, Adv.

**Hon'ble Shri Prashant Kumar Mishra, Acting Chief Justice &
 Hon'ble Smt. Justice Rajani Dubey**

Order on Board**06/07/2021****Per Prashant Kumar Mishra, Acting Chief Justice.**

Proceeding through video conferencing.

1. The petitioner is seeking writ of certiorari to quash the order passed by respondent No. 3 cancelling the Tender No. 55361 dated 27.08.2019 (Annexure-P/1) as also for issuance of writ of prohibition, restraining the respondents from cancelling the

Tender No. 55361 dated 27.08.2019 and starting the process of re-tender.

2. The reliefs claimed in this writ petition is self-contradictory. If a decision has already been taken to cancel the Tender No. 55361, a writ of prohibition can not be issued restraining the respondents from cancelling the same tender.
3. Moreover, the petitioner seeks issuance of writ of certiorari for quashing the decision to cancel the Tender No. 55361, however, the said order is not placed on record. For issuance of writ of certiorari, the order, which is sought to be quashed, has to be made a part of the record.
4. In view of the above, the writ petition is not maintainable and it is dismissed reserving liberty to the petitioner to file afresh as and when the petitioner is able to obtain the copy of the order which is sought to be quashed.

Sd/-
(Prashant Kumar Mishra)
Acting Chief Justice

Sd/-
(Rajani Dubey)
Judge