

Ct. 05
Item No.12
06.06.2022
(suvendu)

WPA 6604 of 2022

BTC-CE(JV)
Vs.
Union of India & Ors.

Mr. Pranit Bag
Mr. Anuj Mishra
Mr. S. Mishra
.....for the petitioner

Mr. Aniruddha Chatterjee
Mr. S.N.Arefin
.....for the respondent no.2

The Affidavit of Service is taken on record.

The only relief which is sought for in the present writ petition is for a direction on the respondent no. 2 to consider a representation of the petitioner made on 15.03.2022.

The case of the petitioner is that the petitioner was wrongfully excluded from being selected in the tender on an alleged fraud being committed by the private respondent.

Learned counsel appearing for the Eastern Coal Fields Limited submits that the petitioner has suppressed several facts.

After hearing learned counsel, this Court is of the view that the point of suppression, if any, can well be decided if the respondent no. 2 is directed to consider the representation of the petitioner and come to a decision on the same.

The respondent no.2 is accordingly directed to consider the representation made by the petitioner being Annexure –P5 to the writ petition and decide the same after hearing all concerned parties including the petitioner. The petitioner and the other parties shall be heard by the CMD, CIL and Director (Finance) or any other officer authorized in this respect. The decision shall be given within a period of three weeks from date in the form of a reasoned order. A copy of the reasoned order shall be made available to the petitioner within a week from the date on which such order is made.

The petitioner will be at liberty of bringing all relevant documents on record at the time of hearing.

WPA 6604 of 2022 is disposed of in terms of the above.

Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertakings.

(Moushumi Bhattacharya, J.)