

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 26 of 2022

*M/s. Famous Security Service,
Bhubaneswar*

.....

Petitioner

Mr. S. Mohanty, Advocate

Vs.

State of Odisha and others

.....

Opposite party

Mr. J.P. Patnaik, G.A.

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE S.K. PANIGRAHI

ORDER

06.01.2022

Order No.

01

This matter is taken up through hybrid mode.

2. Heard Mr. S. Mohanty, learned counsel for the petitioner and Mr. J.P. Patnaik, learned Government Advocate.

3. The petitioner files this writ petition seeking for a declaration that the award of tender in favour of opposite party no.4 is illegal and bad in law and further seeks to direct opposite party no.3 to dispose of the claim of the petitioner vide Annexure-4 dated 17.12.2021 by taking into consideration Annexures-5 and 6 and by giving a chance of personal hearing to the petitioner.

4. Mr. Mohanty, learned counsel for the petitioner contended that pursuant to the tender call notice dated 07.10.2012, the petitioner submitted his tender paper. As per the tender condition, the bidder having the lowest evaluated financial bid (L-1) would be considered for award of the contract subject to fulfillment of the terms and conditions of the bid document. The petitioner's bid being the lowest evaluated financial bid, he should have been given the tender, but opposite party no.4 has been chosen by the tender inviting authority. Therefore, the petitioner has approached this

Court in the present writ petition.

5. Mr. J.P. Patnaik, learned Government Advocate contended that since the petitioner has already approached the authority under Annexure-4, let the authority apply their mind and pass appropriate order in accordance with law, by giving opportunity of hearing to opposite party no.4.

6. Having heard learned counsel for the parties and after going through the record, this court, however without expressing any opinion on the merits of the case, disposes of the writ petition, directing opposite party no.3-Deputy Director of Textile, Bargarh to consider the grievance of the petitioner made under Annexure-4 dated 17.12.2021 after giving opportunity of hearing to the petitioner as well as opposite party no.4.

7. Issue urgent certified copy as per rules.

(DR. B.R. SARANGI)
JUDGE

(S.K. PANIGRAHI)
JUDGE

Arun