

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 3046 of 2022

Nitya Kishore Das

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Petitioner

Mr.A.S. Mohanty, Advocate

Vs.

State of Odisha & Ors.

.....

Opposite parties

State Counsel

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE S.K. PANIGRAHI

ORDER

09.02.2022

Order No.

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This matter is taken up through hybrid mode.

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

3. The petitioner has filed this writ petition seeking direction to opposite party no.4 to accept and consider his application under Annexure-2 series for registration as an approved supplier for supply of food grains and other articles to the Special Jail, Jharpada, Bhubaneswar during the year 2022-23 pursuant to tender call notice under Annexure-1.

4. Mr. A.S. Mohanty, learned counsel for the petitioner contended that though the petitioner submitted his application by speed post, the Superintendent, Special Jail, Bhubaneswar refused to accept the same vide

Annexure-3 series, without assigning any reason. Therefore, the petitioner has approached this Court by filing this writ petition.

5. Mr. J.P. Patnaik, learned Government Advocate contended that the petitioner has to adhere the conditions stipulated in the tender call notice and without doing so, he cannot make any grievance before this Court by stating that his document has been refused to accept by merely giving endorsement vide Annexure-3 series.

6. Considering the contentions raised by learned counsel for the parties and after going through the records, this Court finds that the tender call notice clearly specifies that the applications in plain paper are invited from the intending suppliers/firms/co-operative societies/contractors/corporations, who are registered dealers under GST Act, for registration of their names as approved suppliers for supply of principal food grains and other misc. articles including vegetables, chicken, eggs, milk, paneer etc. as per approved schedule of articles to different Jails of Odisha during the year 2022-23 to be received by the Superintendent of concerned Jails relating to his institutions only up to 5.00 P.M. of 30.11.2021. But nothing has been placed on record to show that the petitioner has submitted his application to the Superintendent, Special Jail, Bhubaneswar relating to his institution by 30.11.2021. Learned counsel for the petitioner further contended that though the petitioner

submitted his application by way of speed post, but the same was refused to accept. There is nothing on record to show that the application submitted by any other mode other than that has been accepted. Therefore, in the considered opinion of this Court, the authority has not committed any illegality or irregularity in refusing to accept the application of the petitioner vide Annexure-3 series. Thereby, this Court is not inclined to entertain this writ petition, which is accordingly dismissed.

Alok

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(DR. B.R. SARANGI)
JUDGE

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(S.K. PANIGRAHI)
JUDGE

