

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.798 of 2013

Bhuban Chandra Sahoo

....

Petitioner

Mr. Amiya Ku. Mohanty, Adv.

-versus-

State of Orissa and Ors.

....

Opp. Parties

Mr. A.K. Mishra, AGA

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE S.K. PANIGRAHI

ORDER

05.01.2022

Order No.

03.

1. This matter is taken up through hybrid mode.
2. None appears for the petitioner at the time of call.
3. Mr. A.K. Mishra, learned Additional Government Advocate for the State is present.
4. The petitioner has filed this writ petition seeking a direction to the opposite parties to allot the contract work “shifting of pipe lines and fixture from Malabhanja to Punjikia Chhaka of Digapahandi NAC for widening of SH-17 and also to enhance the rate of certain items of which market price has been increased due to delay in allotting the contract work.
5. Counter affidavit has been filed by the opposite party nos.1, 3 and 4. Sub-para of paragraph 11 of the said counter affidavit reads as follows:

“Accordingly, as per the direction of the Opp. Party No.3, the Office of the Opp. Party No.4 prepared a fresh comparative statement taking 100 as Unit for Item No.1 in the second fresh

comparative statement prepared. In the second Comparative Statement (Annexure-E/4), the Petitioner became the second lowest tenderer and one Sri Manoj Kumar Sahu stood as the first lowest which was 6.7% less than the estimated cost. The first lowest offer of Sri Manoj Kumar Sahu was accepted by the Office of the Opp. Party No.4 and the offer of the Petitioner was not considered for acceptance. It is relevant to mention that the Work Order has been issued in favour of Sri Manoj Kumar Sahu vide letter No.235, dtd.15.01.2013 (Annexure-F/4) and the agreement was executed on 15.01.2013 vide Agreement No.696 of 201-13. Thereafter, said Manoj Kumar Sahu is continuing with the work and till date, he has executed 6.7 % of the work.”

6. In view of the above position, the writ petition has become infructuous.

7. Accordingly, the writ petition stands disposed of as infructuous.

(Dr. B.R. Sarangi)
Judge

(S.K. Panigrahi)
Judge

BJ