

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 16810 of 2022

Amit Sahoo

.....

Petitioner

Mr. S. R. Pati, Advocate

Vs.

State of Odisha and others

.....

Opposite Parties

Mr.P.P. Mohanty, AGA

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE SANJAY KUMAR MISHRA

ORDER

28.07.2022

Order No.

02.

This matter is taken up through hybrid mode.

2. Heard Mr. S.R. Pati, learned Counsel for the Petitioner and Mr. P.P. Mohanty, learned Additional Government Advocate for the State.

3. Pursuant to the notice issued by this Court, Mr. P.P. Mohanty, learned Additional Government Advocate received instruction to the effect that the Petitioner is the 2nd highest bidder pursuant to the tender issued by the Opposite Parties. The 1st highest bidder did not deposit the amount within the time stipulated, for which his bid was cancelled. Accordingly, he preferred an appeal before the Sub Collector. The Sub Collector, ultimately allowed the appeal. Therefore, no agreement could be executed in favour of the present Petitioner, who is the 2nd highest bidder in the bid itself.

4. Mr. S.R. Pati, learned Counsel for the Petitioner contended

that the Petitioner was not made a party before the Sub Collector and as such, he is not aware of the order passed by the Appellate Authority. Consequentially, it is contended that the Petitioner may be permitted to withdraw the Writ Petition with liberty to file fresh Writ Petition by challenging the order passed by the Sub Collector as well as by impleading the person in whose favour the source is going to be settled.

5. With the aforesaid liberty, the Writ Petition stands disposed of.

(DR. B.R. SARANGI)
JUDGE

(S.K. MISHRA)
JUDGE

Arun

