

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 16866 of 2022

Sobhan Kumar Pattanaik

.....

Petitioner

Mr. B.B. Mohanty, Advocate

Vs.

State of Odisha and Anr.

.....

Opposite Parties

State Counsel

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE S.K. MISHRA

ORDER

13.07.2022

Order No.

01

This matter is taken up through hybrid mode.

2. Heard Mr. B.B. Mohanty, learned counsel for the Petitioner and Mr. S. Rath, learned Additional Standing Counsel.

3. The petitioner has filed this writ petition seeking direction to the Chief Construction Engineer, R.W. Circle, Bhawanipatna to allow his technical bid to be considered in respect of Package No.OR-15-489, pursuant to Annexure-1.

4. Mr. B.B. Mohanty, learned counsel for the Petitioner contended that on the self-same ground on which the petitioner has been declared qualified in respect of Package Nos.OR-15-490 and OR-15-494, but he has been declared disqualified on the very same ground in respect of Package No.OR-15-489. It is further contended that pursuant to advertisement under Annexure-1, the Petitioner participated in the tender process in respect of Sl. No.15, 16 and 20 with self-same documents. In the technical bid, though he has been declared qualified in respect of Sl. Nos.16 and 20

bearing Package Nos.OR-15-490 and OR-15-494 respectively, but he has been declared disqualified in respect of Sl. 15 bearing Package No.OR-15-489, which is illegal, arbitrary and contrary to the settled position of law.

5. Mr. S. Rath, learned Additional Standing Counsel appearing for the State Opposite Parties contended that since an forum is available for the Petitioner to redress his grievance, he may approach the appropriate authority.

5. Considering the contentions raised by learned Counsel for the Parties and after going through the records, since alternative remedy is available to redress the grievance, it is open to the Petitioner to pursue his remedy before the Grievance Redressal Forum.

6. Accordingly, the Writ Petition stands disposed of granting liberty as aforesaid.

Alok/Ananta

(DR. B.R. SARANGI)
JUDGE

(S.K. MISHRA)
JUDGE