

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 17557 of 2022

M/s L.M. Plastics, Balasore

.....

Petitioner

Mr. J. Sahoo, Sr. Adv.

Vs.

Odisha Agro Industries Corporation

.....

Opposite Parties

Ltd., BBSR and others

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE S.K. MISHRA

ORDER

15.07.2022

Order No.

01.

This matter is taken up through hybrid mode.

2. Heard Mr. J. Sahoo, learned Senior Counsel appearing along with Mr. M. Padhi, learned Counsel for the Petitioner.
3. Challenging rejection of its technical bid, the Petitioner has approached this Court by filing the present Writ Petition.
4. Mr. J. Sahoo, learned Senior Counsel appearing along with Mr. M. Padhi, learned Counsel for the Petitioner contended that as the condition stipulated in the tender document has been adhered to, while rejecting the technical bid of the Petitioner, without any application of mind, the action of the authority cannot sustain in the eye of law and the same is liable to be quashed. After advancing some arguments, it is contended that Clause-14 of the tender document provides for redressal of this type of dispute through Dispute Redressal Forum and, therefore, the Petitioner may be permitted to approach the Director, Horticulture in accordance with law. As such, it is contended that the Petitioner has already approached the said Authority on 12.07.2022 by filing representation, which is at page-38 of the Writ Petition. Therefore, direction may be given to consider the same and pass appropriate

Order in accordance with law.

5. Having heard learned Counsel for the Petitioner and after going through the records, this Writ Petition stands disposed of directing Director, Horticulture, to dispose of the representation filed by the Petitioner adhering to the condition stipulated in the tender document and pass appropriate Order, as expeditiously as possible, preferably within a period of six weeks from the date of production of certified copy of this Order.

Issue urgent certified copy as per Rules.

(DR. B.R. SARANGI)
JUDGE

(S.K. MISHRA)
JUDGE

Ashok/Padma

