

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No.34076 of 2022

*M/s. S.S. Construction Co.,
Puri*

.....

Petitioner

Mr. S.K. Dalai, Advocate

Vs.

State of Odisha & Others

.....

Opposite Parties

Mr. P.P. Mohanty, A.G.A

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

13.12.2022

Order

No.

1.

This matter is taken up through hybrid mode.

2. Heard Mr. S.K. Dalai, learned counsel for the Petitioner and Mr. P.P. Mohanty, learned Addl. Government Advocate for the State.

3. The present Writ Petition has been filed with the following prayer:-

“It is therefore prayed that this Hon’ble Court may graciously be pleased to admit the writ petition and issue notice to the Opposite Parties and call for records and upon hearing them seeking a direction in the nature of writ of mandamus directing the opposite party no.3 to reject bid of the opposite party no.4 and to notify acceptance of the work “Construction of New Collectorate Building at Balsore” in favour of the petitioner declaring him a lowest bidder forthwith followed by issuance of work order and execution of agreement in terms of the advertisement provision of OPWD Code to secure ends of justice.

And pass such other order/orders, direction/directions as would be deemed fit and proper in the fact and circumstances of the case.”

4. In course of hearing, learned counsel for the Petitioner states that highlighting his grievances, the Petitioner has made a representation to Opposite Party No.3 vide Annexure-5 series and the same may be directed to be considered within a stipulated time, to which learned Counsel for the State has no objection.

5. As agreed by learned counsel for the parties and after going through the records, this Court, without expressing any opinion on the merits of the case, disposes of the Writ Petition directing Opposite Party No.3 to consider the representation filed by the petitioner vide Annexure-5 series and also taking into account Clause 29(2) of the Instruction to Bidder and Clause 112 (i) & 116 of DTCN and pass appropriate order in accordance with law within a period of four weeks from the date of production of certified copy of this order.

Issue urgent certified copy as per Rules.

(DR. B.R. SARANGI)
JUDGE

(B. P. SATAPATHY)
JUDGE

sangita