

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 39970 of 2021

*Deogarh District Contractors
Association, Deogarh*

.....

Petitioner

Mr. S. Mishra, Advocate

Vs.

Government of Odisha and another

.....

Opposite Parties

Mr. P.K. Muduli, AGA

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE B.P. SATAPATHY

ORDER

28.10.2022

Order No.

01.

This matter is taken up through hybrid mode.

2. Heard Mr. S. Mishra, learned counsel appearing for the Petitioner and Mr. P.K. Muduli, learned Additional Government Advocate appearing for the State-Opposite Parties.

4. The Petitioner has filed this writ petition seeking direction to the Opposite Parties to finalize tender process by way of a lottery system in terms of Clause-36, Appendix-IX, Volume-II of the OPWD Code read with the office order of Works Department No.12366 of 2013 with a further imposition of conditions for the bidders vis-à-vis Additional Performance Security as deemed fit and proper in such cases where the rates quoted by the bidders are identical but are not @ 14.99% less than the estimated cost.

5. In course of hearing, learned counsel for the Petitioner states that the Petitioner has already made representation before the Opposite Party No.2 vide Annexure-9, and the same may be directed to be disposed of within a stipulated time, to which learned Additional Government Advocate has raised no objection.

6. 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.2 to consider the representation filed by the Petitioner vide Annexure-9 and pass appropriate order in accordance with law within a period of three months 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

Ashok/Debasis

