

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 40856 of 2021

Tusharkanta Tiadi

.....

Petitioner

Mr. N. Lenka, Advocate

Vs.

State of Odisha and another

.....

Opposite parties

Mr. P. Mohanty, AGA

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE S.K. PANIGRAHI

ORDER

04.01.2022

Order No.

01.

This matter is taken up through hybrid mode.

2. The petitioner has filed this writ petition seeking to quash the tender call notice issued vide Bid Identification No.30 of 2021-22 dated 11.12.2021 under Annexure-6, so far as it relates to the condition imposed “having experience in similar nature of work or civil work”, as mentioned in paragraph-1 of the tender call notice.

3. Mr. N. Lenka, learned counsel for the petitioner contended that the petitioner is a civil engineer and is a fresher and, as such, he has no work experience. Therefore, the condition stipulated in the tender call notice is causing prejudice to him. As such, direction may be issued to the authority to relax the condition imposed in the tender call notice so that the petitioner can participate in the tender process.

4. Mr. P. Mohanty, learned Addl. Government Advocate contended that the condition imposed in the tender call notice cannot be changed at the whims of the participants. As such, if somebody has not qualified for want of requisite experience, the condition of the contract cannot be changed to facilitate those

persons to participate in the tender process.

5. In course of hearing, Mr. N. Lenka, learned counsel for the petitioner wants to withdraw the writ petition with liberty to approach the appropriate forum in accordance with law.

6. In view of the above submission, the writ petition stands disposed of as withdrawn with liberty aforesaid.

Issue urgent certified copy as per rules.

(DR. B.R. SARANGI)
JUDGE

Ashok

(S.K. PANIGRAHI)
JUDGE

