IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C). No.39700 of 2023

M/s. N.R. Constructions, Hyderabad, Telengana	…..	***Petitioner*** *Mr. M. Mohanty, Advocate*
	Vs.	
State of Odisha & Ors.	…..	***Opposite parties*** *Mr. P.P. Mohanty, AGA*

CORAM:
ACTING CHIEF JUSTICE DR. B.R. SARANGI
MR. JUSTICE MURAHARI SRI RAMAN

ORDER
08.12.2023

Order No.
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This matter is taken up through hybrid mode.

2. Heard Mr. M. Mohanty, learned counsel appearing for the petitioner and Mr. P.P. Mohanty, learned Additional Government Advocate appearing for the State-opposite parties.

3. The petitioner has filed this writ petition seeking to quash the letter dated 16.11.2023 under Annexure-7, by which the Technical Evaluation Committee has rejected the bid of the petitioner in the technical evaluation, and further to issue direction to opposite parties no.2 and 5 to consider the case of the petitioner along with opposite parties no.6 to 11 afresh in financial capacity of the bid process under Annexure-1.

4. Mr. M. Mohanty, learned counsel appearing for the petitioner contended that the Technical Evaluation Committee, for which reason, has rejected the bid of the petitioner, with the self-

same reason has allowed the bids of opposite parties no.6, 7 & 9. Therefore, the Committee should not discriminate the petitioner vis-à-vis opposite parties no.6, 7 & 9.

5. After advancing some arguments, learned counsel appearing for the petitioner stated that the petitioner may be permitted to move a fresh representation before opposite party no.2 so that the same can be considered, to which Mr. P.P. Mohanty, learned Additional Government Advocate appearing for the State-opposite parties has raised no objection.

6. In view of the above, this Court disposes of this writ petition permitting the petitioner to file a fresh representation highlighting the grievances by making specific assertion as to how on the self same ground, on which the bid of the petitioner has been rejected, the bids of opposite parties no.6, 7 and 9 have been allowed for financial evaluation. If the petitioner files a fresh representation within a period of seven days from today, opposite party no.2 shall consider the same and pass appropriate order within a period of fifteen days thereafter. Till consideration of the representation, no third party interest shall be created.

(DR. B.R. SARANGI)
ACTING CHIEF JUSTICE

(M.S. RAMAN)
JUDGE

Alok