

(2021) 11 UK CK 0016

In the Uttarakhand High Court

Case No : Writ Petition (M/S) No. 2334 Of 2021

M/s Kohli Enterprises

APPELLANT

Vs

Regional Food Controller Kumaun Region & Others

RESPONDENT

Date of Decision : 09-11-2021

Acts Referred:

Citation : (2021) 11 UK CK 0016

Hon'ble Judges : Manoj Kumar Tiwari, J

Bench : Single Bench

Advocate : Anil Kumar Joshi, Pradeep Hairiya

Final Decision : Disposed Of

Judgement

Manoj Kumar Tiwari, J

1. Heard learned counsel for the parties.
2. Petitioner is aggrieved by the order dated 23.10.2021 passed by Regional Food Controller, Kumaun, whereby petitioner has been denied permission to participate in the bidding process for the work of transportation of food grains.
3. The reason assigned in the impugned order is that since the petitioner has been blacklisted by the Uttarakhand Warehousing Corporation vide order dated 21.10.2021, therefore, he is ineligible to participate in the bidding process in other Government Agencies.
4. Learned counsel for the petitioner has drawn attention of this Court to an order dated 28.10.2021 passed by this Court in WPMS No.2280 of 2021. Perusal of the said order reveals that the order of Uttarakhand Warehousing Corporation passed on 21.10.2021 has been stayed until further orders of this Court.
5. Since this aspect could not be considered by Regional Food Controller while passing the impugned order, therefore, before proceeding any further in the matter, it would be appropriate to provide him an opportunity to re-visit his order.

6. Learned counsel for the petitioner submits that petitioner has already made a representation on 29.10.2021.
7. In such view of the matter, the writ petition is disposed of with a direction to Regional Food Controller to consider petitioner's representation dated 29.10.2021 and take appropriate decision, in accordance with law, on or before 10.11.2021.
8. Learned counsel for the petitioner undertakes to supply certified copy of this order alongwith copy of representation in the office of Regional Food Controller, during the course of the day.
9. Let a certified copy of this order be issued today itself.