
(2011) 03 JH CK 0072
In the Jharkhand High Court
Case No : Writ Petition (C) No. 862 of 2011

Nawaz Ahmad

APPELLANT

Vs

Jharkhand State Forest Development Corporation and Others

RESPONDENT

Date of Decision : 29-03-2011

Acts Referred:

Citation : (2011) 4 BC 416 : (2011) 2 JCR 515 : (2011) 8 RCR(Civil) 2030

Hon'ble Judges : R.K. Merathia, J

Bench : Single Bench

Judgement

R.K. Merathik, J.—Heard.

2. Mr. R.S. Mazumdar, learned Counsel for the Petitioner, submitted that by mistake, the amount offered could not be filled up in column 8 and 9 of the Tender document but it was mentioned clearly on the next page. He further submitted that Petitioner offered Rs. 3,15,786.00, whereas Respondent No. 3 Mritunjay Dutta offered Rs. 3,05,000.000 and therefore the Respondents should have allowed the Petitioner to mention the amount in column 8 and 9.

3. On the other hand, counsel for the Respondents submitted that the concerned authorities put their signatures on the tender form near column 8 and 9; and that it is not known when the Petitioner mentioned the amount offered by it, on the next page. It is further submitted that Petitioner has been taking part in such tender and he knows fully well where the amount offered is to be mentioned. It is further submitted that such tenders are floated for a short period of three months and Respondent No. 3 has already been given the work. Counsel for the Respondents relied on the order dated 10.1.2011, passed in L.P.A. No. 284 of 2010 with analogous cases.

4. There appears to be a serious dispute as to whether Petitioner indicated the offered amount in column 8 and 9 or it was kept blank and the amount was mentioned on the next page subsequently. Such dispute cannot be decided under writ jurisdiction. Further it appears that work has already been allotted to

Respondent No. 3 and such tenders are only for a short period.

5. In the circumstances, no relief can be granted to the Petitioner.

6. Before parting with this case, on my indication, Mr. A.K. Das, appearing for Respondent No. 3, submitted that his client is agreeable to increase the bid to Rs. 3,15,786.00, and deposit the balance amount. Accordingly, Respondent No. 3-Mritunjay Dutta is directed to deposit the balance amount of the bid within two weeks from today.

7. With these observations and directions, this writ petition is disposed of.