
(2010) 08 JH CK 0091
In the Jharkhand High Court

Subhash Gupta

APPELLANT

Vs

The State of Jharkhand

RESPONDENT

Date of Decision : 30-08-2010

Acts Referred:

Bihar Agricultural Produce Markets Rules, 1975 — Rule 3

Citation : (2010) 08 JH CK 0091

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

Bench : Single Bench

Final Decision : Dismissed

Judgement

R.K. Merathia, J.—This writ petition has been filed for quashing the notice inviting tender as contained in letter No. 713, Ranchi dated 10.5.2010, whereby and whereunder, the collection of tax/fee from Haat, Bazaar of Garhwa Bazari Samiti in various places of Garhwa District from the month of June 2010 to March 2011 has been invited through open tender.

2. It is submitted that applications were invited from different groups, which were still pending and without passing any order or without cancelling the earlier orders, the respondents have issued a fresh notice inviting open tender, which is against Rule 3 of the Bihar Agriculture Produce Market Rules.

3. On the other hand, Counsel for the respondents, referring to the counter affidavit, submitted that an Aam Sabha was conducted on 29.3.2010 for selection of a group for settlement of Godarmana Hat/Bazar in question in Garhwa area under the Market Committee, in which six groups submitted their claims for selection but no consensus was formed in the Aam Sabha for selection of groups and therefore, as per Board's decision, open bid was invited for the said Haat. Accordingly, on 29.5.2010, in presence of Sub Divisional Officer-cum-Special Officer, Agriculture Produce Market Committee conducted open bid for settlement of the said Haat was held and five persons participated in it. Thereafter, the bids were finalised in accordance with the procedure.

4. In view of the stand taken in the counter affidavit, I find no merit in this writ petition, which is accordingly dismissed. However, no costs.