



2026:CGHC:14951-DB

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPC No. 1345 of 2026**

Landmark Engineer Through Its Proprietor Nishant Jain, S/o Shri Suresh Chand Jain, Aged About 47 Years, R/o Ring Road No. 2, Shanti Nagar, Bilaspur, District- Bilaspur (C.G.)

--- Petitioner**versus**

1 - State Of Chhattisgarh Through- Principal Secretary, Public Works Department, Mahnadi Bhawan, Mantralaya, Atal Nagar, Nawa Raipur, District Raipur (C.G.)

2 - Engineer-In-Chief Public Works Department, Nirman Bhawan North Block, Sector-19, Atal Nagar, Nawa Raipur, District Raipur (C.G.)

3 - Chief Engineer Public Works Department, Bilaspur Zone, Bilaspur (C.G.)

4 - Superintending Engineer Public Works Department Kanker Circle, Kanker (C.G.)

5 - Executive Engineer Public Works Department, (B/R) Division Narayanpur (C.G.)

6 - Chief Engineer Public Works Department, Bilaspur Zone, Bilaspur (C.G.)

--- Respondents**WPC No. 1346 of 2026**

Landmark Engineer, Through Its Proprietor Nishant Jain, S/o Shri Suresh Chand Jain, Aged About 47 Years, R/o Ring Road No. 2, Shanti Nagar, Bilaspur, Distt. Bilaspur, Chhattisgarh.



---Petitioner

Versus

- 1** - State Of Chhattisgarh Through Principal Secretary, Public Works Department, Mahandi Bhawan, Mantralaya, Atal Nagar, Nawa Raipur, Distt. Raipur, Chhattisgarh.
- 2** - Engineer In Chief Public Works Department, Nirman Bhawan North Block, Sector 19, Atal Nagar, Nawa Raipur, Distt. Raipur, Chhattisgarh.
- 3** - Chief Engineer Public Works Department, Bilaspur Zone, Bilaspur, Chhattisgarh.
- 4** - Superintending Engineer Public Works Department Kanker Circle, Kanker, Chhattisgarh.
- 5** - Executive Engineer Public Works Department, (B/R) Division Narayanpur, Chhattisgarh.
- 6** - Chief Egnineer Public Works Department, Bilaspur Zone, Bilaspur, Chhattisgarh.

--- Respondents

For Petitioner	:	Mr.Manoj Paranjape, Senior Advocate assisted by Mr.Amit Soni, Advocate
For Respondents	:	Mr.Shashank Thakur, Deputy Advocate General

Hon'ble Shri Ramesh Sinha, Chief Justice**Hon'ble Shri Ravindra Kumar Agrawal, Judge****Order on Board****Per Ramesh Sinha, Chief Justice****1.4.2026**

1. Heard Mr.Manoj Paranjape, learned Senior Advocate assisted by Mr.Amit Soni, learned counsel for the petitioner as well as Mr.Shashank Thakur, learned Deputy Advocate General appearing for the respondents/State.



2. The petitioner has filed WPC No.1345/2026 with following reliefs:-

“10.1 That, this Hon'ble Court may kindly be pleased to issue a suitable writ/direction for setting aside the Notice Inviting Tender bearing No. 1052/TC/2025-26 dated 09.03.2026 (ANNEXURE-P-1) in the interest of justice.

10.2 That, this Hon'ble Court may kindly be pleased to issue the suitable writ/direction directing respondent authorities to award the contract to the petitioner and the petitioner may kindly be permitted to comply with the terms of LOI dated 17.02.2026.

10.3 That, the Hon'ble Court may kindly be pleased to issue a writ/writs, order/orders, direction/directions and the respondent authorities may kindly be directed not to forfeit the security amount of the petitioner furnished in pursuance of the first Notice Inviting Tender bearing No. 582/TC/2025-26 dated 07.11.2025 and they may further be directed not to suspend the registration of the petitioner as Class A contractor.

10.4 That, the suitable writ/direction may kindly be issued commanding the respondents to initiate fresh tender process.

10.5 That, any other further order(s) as deemed fit



and necessary by this Hon'ble Court in the interest of justice.”

3. The petitioner has filed WPC No.1346/2026 with following reliefs:-

“10.1 That, this Hon'ble Court may kindly be pleased to issue a suitable writ/direction for setting aside the Notice Inviting Tender bearing No. 1051/TC/2025-26 dated 09.03.2026 (ANNEXURE-P-1) in the interest of justice.

10.2 That, this Hon'ble Court may kindly be pleased to issue the suitable writ/direction directing respondent authorities to award the contract to the petitioner and the petitioner may kindly be permitted to comply with the terms of LOI dated 17.02.2026.

10.3 That, the Hon'ble Court may kindly be pleased to issue a writ/writs, order/orders, direction/directions and the respondent authorities may kindly be directed not to forfeit the security amount of the petitioner furnished in pursuance of the first Notice Inviting Tender bearing No. 581/TC/2025-26 dated 07.11.2025 and they may further be directed not to suspend the registration of the petitioner as Class A contractor.

10.4 That, the suitable writ/direction may kindly be issued commanding the respondents to initiate



fresh tender process.

10.5 That, any other further order(s) as deemed fit and necessary by this Hon'ble Court in the interest of justice.”

4. Mr. Manoj Paranjape, learned Senior Advocate, assisted by Mr. Amit Soni, learned counsel for the petitioner, submits that, as per the consequences arising from the tender condition, i.e., Clause 4.7.1, since the petitioner failed to comply with the provisions of the Notice Inviting Tender (NIT), the resulting consequence in the present case would be temporary suspension for a period of two years. He further contends that the petitioner, through no fault of his own, should not be penalized. He also points out that the petitioner was required to furnish additional performance security, which was communicated via speed post; however, before the expiry of 15 days period, the tender awarded in favour of the petitioner was cancelled, and a fresh NIT was issued by the respondents.
5. On the other hand, Mr. Shashank Thakur, learned Additional Advocate General appearing for the respondents/State, opposes the arguments advanced by learned Senior Advocate for the petitioner and submits that the petitioner failed to fulfill the condition of the NIT regarding furnishing additional performance security. Therefore, the consequences under Clause 4.7.1 of the NIT may follow; however, no such decision has been taken so far.



6. Considering the facts and circumstances of the case, as well as the submissions advanced by learned counsel for the parties, we are not inclined to interfere in the matter at this stage.
7. Accordingly, the writ petitions are **dismissed** at this stage. However, if any further cause of action arises in future, the petitioner is at liberty to take recourse to law. No order as to costs.

Sd/-

Sd/-

(Ravindra Kumar Agrawal)
Judge

(Ramesh Sinha)
Chief Justice