



HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1582 of 2026

MARUTI NANDAN ENTERPRISES **versus** STATE OF CHHATTISGARH

<u>08.05.2026</u>	Heard Mr. Manoj Paranjpe, learned Sr. Advocate along with Mr. Akshat Tiwari, learned counsel for petitioner. Also heard Mr. Praveen Dhurandhar, Addl. A.G. for the State/respondent, Mr. Trivikram Nayak, learned counsel for respondent No. 2 and Mr. Rajesh Kumar Kesharwani, learned counsel for respondent No. 3. In compliance with the order dated 15.04.2026, an affidavit has been filed by the Chief Secretary, Government of Chhattisgarh, the relevant portion of which is reproduced hereinbelow:- <i>“2. That, the instant petition has been filed under Article 226 of the Constitution of India whereby the petitioner is aggrieved with the unexplained cancellation of the tender bearing tender no. CSIDC/EE/DIV 11/2025-26/14 dt. 07.01.2026 (System no. 183413), by the respondent no. 02.</i> <i>3. However, the bid was cancelled on 21.02.2026 by the respondent no. 02 (CSIDC).</i> <i>4. That, following aforesaid cancellation, CSIDC has written a letter to the Respondent no. 03 (CHIPS) requesting to roll back of the tender. (Annexure R1-1)</i> <i>5. That, on 15/04/2026, upon hearing, the Respondent No. 03 (CHIPS) has informed the Hon'ble Bench about Empowered Committee and its resolution dt. 16/02/2016 passed in the 32nd meeting under the chairmanship of the answering</i>
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respondent herein. The Hon'ble Court posed query for the answering respondent, requiring the reason behind the decision taken in 32nd meeting of the Empowered Committee.

6. That, it is hereby submitted that the Empowered Committee was constituted vide order no. 113/सा.प्रा./सू.प्रौ./2006 DT. 13.06.2006, under the chairmanship of the Chief Secretary. The Empowered Committee has been empowered by the State Government to take decision on all technical and financial matters of the IT projects including e-procurement. (Annexure R1-2)

7. That, on 16/02/2016, it was decided in the 32nd meeting of the Empowered Committee, that 'rollback' in e-procurement is not to be permitted. This was taken to guard against any malpractice that may take place. Further, rollback during tender processing at any stage is impermissible by either Department Officials or by anyone to avoid unlawful practices, bring about transparency in public procurement process and ensure accountability across the entire process, which will further help in preventing major illicit activities such as favouritism, bias, or undue influence in decision-making. maintain fairness and equal opportunity for all participating bidders and to keep the procurement process insulated from external interference. The said decision is taken with an intent to prevent any fraud or mala-fide practices.

8. It is respectfully submitted that the said decision of the empowered committee taken in its 32nd meeting on 16/02/2016, is still in force and the State Government vide its letter dt. 20/04/2026 (Annexure R-1/3) sent out to all departments, has communicated to all departments of the government that no such 'roll back' can take place at any stage of tender process.

9. It is most respectfully submitted that it is evident that, the decision dated 16/02/2016 was taken purely to ensure transparency in tender processes and to guard against any attempt of foul play in the tender process.

10. It is most respectfully submitted that, the deponent assures the Hon'ble Court that,

Department of Electronics & Information Technology is in process of constituting a fresh committee to revisit/review the said issue. An appropriate decision would be expeditiously taken within 02 weeks in this regard to ensure that no undue hardship is caused to tenderers including the above mentioned case, who have participated in various tender processes and whose tender processes have been adversely affected by certain departmental mistakes/errors and are not required to take the trouble of approaching the Hon'ble Court for redressal of their grievances.

It has been stated in paragraph 10 of the affidavit that the Department of Electronics & Information Technology is in process of constituting a fresh committee to revisit/review the said issue and a decision would be taken within 2 weeks in this regard.

A fresh affidavit be filed by the Chief Secretary, Government of Chhattisgarh

Let the matter be listed again on 17.06.2026.

Sd/-

(Ravindra Kumar Agrawal)
Judge

Sd/-

(Ramesh Sinha)
Chief Justice