



**HIGH COURT OF CHHATTISGARH AT BILASPUR**

**WPPIL No. 82 of 2024**

**PHULSINGH KACHLAM *versus* STATE OF CHHATTISGARH**

**Order Sheet**

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| 16.03.2026 | <p>Heard Ms Rajni Soren, learned counsel for the petitioner and Shri Praveen Das, learned Additional Advocate General for the State/respondents.</p> <p>In compliance of the Court's order dated 12.01.2026, the Superintending engineer, Public Works Department, Circle-Kanker district North Bastar, Kanker (CG), and the Officer In-charge of the matter has filed his personal affidavit. Operative portion of the said affidavit reads as under:</p> <p>“3. That, pursuant to the order dated 12/01/2026 passed by the Hon'ble Court, the deponent most humbly and respectfully submits as far as the result of</p> |
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|  | <p>financial bid submitted by the bidders is concerned that total length of Narayanpur - Orchha road is 63.4 KM. and the said road is divided in three parts for the purpose of construction and its strengthening. It is submitted that the second part of the road from KM 13 to KM 31 (Palli Chhotedongar Orchha) (total 19 KM) has been divided in two parts for the purpose of NIT i.e. first part is from KM 13 to KM 22 (total length 10 KM) and second part is from KM 23 to KM 31 (total length 9 KM). It is submitted that for construction of first part of the road from KM 13 to KM 22 (total length 10 KM), after following due process, one Surface Engineering Private Limited "A" Class Contractor, Kanker has been declared L-1 and accordingly the work order has duly been issued in favour of the said contractor on 23/02/2026. Copy of the work order dated 23/02/2026 is being filed herewith as Document -A. It is submitted that work agreement has also been executed with the aforesaid contractor for the</p> |
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aforesaid work. It is submitted that pursuant to the aforesaid work order, the said contractor has commenced the work. To demonstrate this fact, copy of the latest photograph is being filed herewith as Document-B.

4. That, with regard to second part of the road from KM 23 to KM 31 (total length 9 KM), the deponent respectfully submits that for construction of this road also, the aforesaid contractor has been declared L-1 and after execution of the necessary work agreement, the work order has also been issued in favour of the aforesaid contractor and to establish this fact, copy of the work order dated 23.02.2026 is being filed herewith as **Document-C** it is submitted that after receipt of the said work order, the said contractor has started working. To demonstrate this fact, copy of the latest photograph is being filed herewith as **Document-D.**

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|  | <p>5. That, with respect to the third part of the road starting from KM 1 to KM 32.60 (Narayanpur to Palli Dhaudai), the deponent respectfully submits that for the purpose of construction of the said road, the total length of the said road has been divided in two parts i.e. the length of first part is from KM 176.40 to KM 193.00 (total length 16.60 KM) (Gadhbengal to Dhaudi Chhotedongar Road Part 1) and the length of second part is from KM 194.00 to KM 209.00 (total length 16.00 KM) (Gadhbengal to Dhaudi Chhotedongar Road Part 2). It is respectfully submitted that for construction of first part of the road starting from KM 176.40 to KM 193.00 (total length 16.60 KM) (Gadhbengal to Dhaudi Chhotedongar Road Part 1), on 17/02/2026 the letter of acceptance was, though, issued in favour of the lowest bidder (M/s Landmark Engineer, Bilaspur), but, the said lowest bidder failed to deposit the requisite additional performance security amount within the prescribed</p> |
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|  | <p>time, therefore, by making recommendation for cancellation of the tender floated for the aforesaid road, the Executive Engineer, PWD (B and R), Division Narayanpur vide its letter dated 05/03/2025, has requested the SE, PWD, Kanker Circle to take necessary steps for re-tendering by forfeiting the earnest money deposit submitted by the aforesaid bidder. To demonstrate this fact, copy of the letter dated 05/03/2026 is being filed herewith as <b><u>Document E</u></b>. It is respectfully submitted that pursuant to the aforesaid letter dated 05/03/2026, the Tender Cell has cancelled the tender floated for construction of the road from KM 176.40 to KM 193.00 (total length 16.60 KM) (Gadhbengal to Dhaudi Chhotedongar Road Part 1) and a fresh NIT (2nd Call) bearing System Tender No.186847 NIT NO. 1051/TC/2025-26 for the said road has been floated on 09/03/2026. Copy of the NIT (2nd Call) dated 09/03/2026 is being filed herewith as <b><u>Document F</u></b>. In</p> |
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the said NIT, the bids are invited till 27/03/2026 at 17.00 PM. and the bid opening date is scheduled on 02/04/2026 at 10.00 AM.

6.That, with regard to construction of second part of the road from KM 194.00 to KM 209.00 (total length 16.00 KM) (Gadhbengal to Dhaudi Chhotedongar Road Part 2), the similar action has also been taken against the lowest bidder and by cancelling the earlier tender and by forfeiting the earnest money deposit, a fresh tender / NIT (2nd call) bearing System tender no.186853 NIT No. 1052/TC/2025-26 for construction of the aforesaid road has been floated on 09/03/2026 prescribing the last date of submission of bids to be 27/03/2026 at 17.00 PM and the bid opening date to be 02/04/2026 at 10.00 AM. To demonstrate this fact, copy of the NIT (2nd Call) dated 09/03/2026 is being filed herewith as **Document – G**.

7.That, the deponent most humbly submits that with

regard to the progress of the road from KM 1 to KM 12 (Palli Chhotedongar Orcha), the work order has been issued to M.S. Construction on 05/06/2025 and pursuant to the said work order, the said contractor has started the construction activities and as of now, the work of sub-grade is completed, the Granular Sub-Base (GSB) work is in progress, Ready mixed concrete plant is now installed at the site. To establish this fact, copies of the latest photographs are filed herewith as **Document - H colly**.

8.That, the deponent most humbly submits that he has the highest regard and great respect for the lawful authority of this Hon'ble Court and its orders and direction. He is duty bound to adhere to and abide by the order of this Hon'ble Court.

9.That, the contents of the present affidavit have been drafted according to my instructions and the contents thereof are true and correct to the best of my personal

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|  | <p>knowledge and belief, based on the official records.”</p> <p>On perusal of the above affidavit, it transpires that with respect to progress of the road of 12 km (Palli-Chhotedongar Orcha), the work order has already been issued to M.S.Construction, “A” Class Contractor, Raipur on 05.06.2025 pursuant to which, construction and the granular Sub-Base (GSB) works are in progress. As such the status of work, let this matter be listed again for further monitoring on <b>6<sup>th</sup> May, 2026.</b></p> <p>The Superintending Engineer, Public Works Department, Circle-Kanker, District-North Bastar, Kanker (CG) is directed to file fresh affidavit with respect to further progress in the matter by the next date of hearing.</p> <div><div><p>Sd/-<br/><b>(Ravindra Kumar Agrawal)</b><br/>Judge</p></div><div><p>Sd/-<br/><b>(Ramesh Sinha)</b><br/>Chief Justice</p></div></div> |
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