



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 1754 of 2026

***Aerocom Private Limited,
Bhubaneswar***

....

Petitioner

Mr. Ishwar Mohanty, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr. Debashis Tripathy, Additional Government Advocate

CORAM:

HON'BLE THE CHIEF JUSTICE

AND

HON'BLE MR JUSTICE MURAHARI SRI RAMAN

ORDER

20.02.2026

Order No.

02.

I.A. No.1238 of 2026 and W.P.(C) No.1754 of 2025

1. This is an application for impleadment of a successful bidder as opposite party in the instant writ petition.

2. The petitioner has challenged the tender dated 6th December, 2025 on the ground of arbitrariness, anti-competitiveness and in violation of the Odisha Procurement Preference Policy for Micro and Small Manufacturing Enterprises, 2023 and the terms and conditions incorporated in GeM.

3. On the last occasion when the matter was taken up, it was pointed out by the opposite parties that after completion of the entire



exercise required to be undertaken for finalizing the said tender, the successful bidder has been declared and on the conspectus of the reliefs claimed therein, they have accrued a right to be heard and therefore, their impleadment is inevitable.

4. On the basis of the aforesaid submissions, liberty was granted to the petitioner to make an application seeking impleadment of the successful bidder as a party in the instant writ petition by virtue of an order dated 18th February, 2026.

5. There is no cavil of doubt that the Court is conferred with the power to implead any party or strike off the name of any party exercising such power in order to determine the cause completely and effectively. In the event, the Court finds that a party is necessary and proper in relation to the reliefs claimed in the legal proceedings, there is no fetter on the part of the Court to implead such party.

6. Since the challenge is thrown on the tender itself, therefore, any order that would be passed in the instant writ petition adverse to the interest of the successful bidder, it renders the said person as necessary and proper party.

7. The application is thus allowed.



8. The successful bidder as disclosed in Paragraph-4 of the instant application be impleaded as an opposite party in the instant writ petition.

9. The amended cause title shall be filed by the petitioner in the course of this day. In the event the same is filed, the Office shall tag the same with the writ petition.

10. Mr. Tarun Pattnaik, learned Advocate undertakes to file Vakalatnama on behalf of the newly added opposite party in course of this day. A copy of the writ petition has already been served upon him.

11. List this matter on 25th February, 2026.

(Harish Tandon)
Chief Justice

(M.S. Raman)
Judge