

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Civil Writ Petition No. 3298/2026

M/s R.k Construction Company, Through Proprietor Sanjay Bhati
S/o Roshan Bhati Aged 36 Years R/o Royal Palace, Ward No. 12,
Bhartiya Hospital Raod, Churu, Raj.

-----Petitioner

Versus

1. The State Of Rajasthan, Through The Chief Secretary,
Food, Civil Supplies Department, Jaipur.
2. Minister, Of Food And Civil Supplies, Jaipur, Rajasthan.
3. The District Collector, Churu.
4. District Supply Officer, Churu.
5. M/s Bhashkar Industries, Its Proprietor Meena Devi D/o
Shri Prem Prakash Khetan, Aged About 37 Years, Address
H 273, Riico, Jhunjhunu, Rajasthan.

-----Respondents

For Petitioner(s)	:	Mr. Devendra Singh Rathore
For Respondent(s)	:	Mr. S.S. Ladreacha, AAG with Mr. Ravinder Jala Mr. Jubin Mehta Mr. Ram Dayal

HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

25/02/2026

By way of filing the present writ petition, the petitioner has
prayed for the following reliefs:-

*"It is, therefore, respectfully prayed that this writ
petition may kindly be allowed and by an appropriate writ,
order or direction:-*

*(a) By any appropriate writ/ order or direction, Notice
Inviting Bid dated 25.08.2025 (Annex-3) may be modified
along-with all further proceedings issued whilst allowing
Petitioner firm to participate in Tender Process; or*

*(b) By any appropriate writ/ order or direction, work
order, if issued, to M/s Bhaskar Industries may be
quashed and set-aside; or*

- (c) *By any appropriate writ/ order or direction, order dated 20.11.2025 (Annx-06) may be quashed and set-aside; or*
- (d) *By any appropriate writ/ order or direction, appropriate proceedings may be issued against the Respondents for illegally rejecting the Bid of the Petitioner; or*
- (e) *Any other appropriate writ or order or direction which is favorable to the petitioner in the facts and circumstances of the case may kindly be granted to the petitioner."*

2. Having heard learned counsel for the parties and upon perusal of the material available on record, this Court finds that both the petitioner and respondent No. 6, being aggrieved by the decision of the official respondents cancelling the bidding process initiated for selection of an agency for handling and transportation of food grains under the PDS from FCI depots to FPS shops vide order dated 25.09.2025, preferred statutory appeals before the First Appellate Authority-cum-Principal Secretary, Department of Food and Civil Supplies, Jaipur. The first appeal preferred by the petitioner-firm came to be rejected, whereas the appeal preferred by respondent No. 6 was allowed vide order dated 20.11.2025. By the said order, the District Supply Officer, Churu was directed to issue a work order in favour of respondent No. 6, it being the sole successful bidder in the financial bid. Pursuant to the order dated 20.11.2025, the respondents issued the work order in favour of respondent No. 6, who is presently undertaking the transportation of food grains in terms of the NIT.

3. This Court further finds that the petitioner-firm, being aggrieved by the rejection of its first appeal vide order dated 20.11.2025, has preferred a statutory second appeal, which is presently pending adjudication. It is well settled that writ jurisdiction cannot be invoked to circumvent the statutory

appellate remedy. A writ petition is ordinarily not entertained when the issue involved is already pending consideration before the competent statutory appellate authority.

4. In view of the above, this Court is not inclined to entertain the present writ petition. Consequently, the same stands dismissed.

5. The Second Appellate Authority under the RTPP Act, 2012 and the Rules framed thereunder is directed to consider and decide the pending second appeal expeditiously, preferably within a period of one month from the date of production of a certified copy of this order.

6. Stay petition and all other pending applications, if any, stand disposed of.

(KULDEEP MATHUR),J

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