

*Present: Mr.A.Mishra, Advocate
for the petitioner.*

02 31.1.2014

This petition seeks quashing of tender call notice, Annexure-6, issued by opposite party no.2-Bank for hiring a generator.

Case of the petitioner is that there was an agreement dated 5.1.2010 for seven years between the petitioner and the Bank to supply electricity through generator. The Bank vide letter dated 15.11.2013 asked the petitioner to install a generator of the specification mentioned therein latest by 18.11.2013, failing which, the agreement will stand cancelled. The petitioner failed to supply such generator. Accordingly, the Bank issued notice inviting tender on 25.1.2014.

According to the petitioner, the tender notice will seriously affect the petitioner. Without giving the petitioner further opportunity, the Bank could not issue tender call notice. Learned counsel for the petitioner submits that the petitioner is willing to approach the Bank and the Bank may consider his prayer for an opportunity to provide a generator set at this stage.

Without expressing any opinion on merits, we direct that if the petitioner approaches the Bank, the Bank may consider his prayer in accordance with law, unless an arrangement has already been reached with any other person.

The petition is disposed of.

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A.K.Goel, C.J.

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Dr. A.K.Rath, J.

