GAHC010178782019

# THE GAUHATI HIGH COURT
## (HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

**Case No. : WP(C) 5404/2019**

1:LAKHIRAM DAS
S/O- LT BHOGESWAR DAS, VILL- MACKHOWA, P.S. MORIGAON, DIST- MORIGAON, ASSAM, PIN- 782105

VERSUS

1:THE STATE OF ASSAM AND 3 ORS.
TO BE REP. BY THE SECY. TO THE GOVT. OF ASSAM, PANCHAYAT AND RURAL DEVELOPMENT DEPTT., DISPUR, GHY

2:THE COMMISSIONER
PANCHAYAT AND RURAL DEVELOPMENT DEPTT.
ASSAM
JURIPAR
PANJABARI
GHY-37

3:THE CHIEF EXECUTIVE OFFICER
MORIGAON ZILA PARISAD
P.O. AND DIST- MORIGAON
ASSAM

4:SUKLESWAR BORDOLOI
S/O- DASESWAR BORDOLOI
R/O- JALUGUTI RONGDOLOI
P.O. JALUGUTI
P.S. MIKIRVEDA
DIST- MORIGAON
ASSA

**Advocate for the Petitioner** : MR H DAS

**Advocate for the Respondent** : SC, PNRD

**BEFORE**
**HONOURABLE MR. JUSTICE SUMAN SHYAM**

**ORDER**

**Date : 31-07-2019**

Heard Mr. P. Teli, learned counsel for the petitioner. I have also heard Mr. A. Roy, learned Standing Counsel, PNRD Department, Assam.

This writ petition has been filed by the second highest bidder assailing the order of settlement of the Zaliguti Weekly market, granted by the respondent authorities in favour of the respondent no. 4 i.e. the highest bidder, on the ground that there is a criminal case pending against him and therefore, bid of the respondent no. 4 ought to have been rejected.

Mr. Roy submits that there is no such requirement under the law to reject the bid submitted by the bidder against whom, criminal case is pending.

The learned counsel for the petitioner also could not substantiate his claim by referring to any cogent material available on record. Moreover, the particulars of the criminal case allegedly pending against the respondent no.4 is also not furnished by the petitioner, so as to indicate as to the nature of charge, if any, that has been framed against the respondent no. 4.

Under the circumstances, I am of the view that this writ petition is devoid of any merit and the same is accordingly dismissed.

**JUDGE**

**Sukhamay**

**Comparing Assistant**