
Rohit Mathur Vs State Of Uttarakhand

Writ Petition (M/S) No. 2871 Of 2021

Court: Uttarakhand High Court

Date of Decision: Jan. 6, 2022

Hon'ble Judges: Manoj Kumar Tiwari, J

Bench: Single Bench

Advocate: Ashish Joshi, Vinod Nautiyal, Alok Mahra

Final Decision: Disposed Of

Judgement

Manoj Kumar Tiwari, J

1. Petitioner has been operating scheduled and unscheduled helicopter services in the State. He was not permitted to participate in the Bidding process

for providing helicopter services to Shri Kedarnath and Shri Badrinath shrine on the ground that he has not provided N.O.C. from the Competent

Authority, i.e., Uttarakhand Civil Aviation Development Authority.

2. It is the contention of petitioner that some other bidders, against whom dues were pending, were permitted to participate in the contract.

3. Mr. Alok Mahra, learned counsel for the third respondent was asked to get instructions in the matter. He submits that other bidders were issued

N.O.C. by respondent no. 3, which they submitted with their technical bid. Thus according to him, there was nothing wrong with the Bid of other

persons, their bid was found to be responsive.

4. Mr. Ashish Joshi, learned counsel for the petitioner, on the other hand, submits that subsequently the UCADA (respondent no. 3) issued demand

notice against those bidders, against whom dues were pending.

5. After arguing for a while, learned counsel for the petitioner confines his prayer and submits that petitioner be permitted to make representation and

the Competent Authority be directed to take decision thereupon.

6. Having regard to facts and circumstances of the case, writ petition is disposed of with liberty to petitioner to make representation to Chief

Executive Officer, UCADA. If petitioner makes such representation within ten days, Chief Executive Officer, UCADA shall look into the matter and

take appropriate decision, in accordance with law, within eight weeks from the date of receipt of representation alongwith certified copy of this order.

It goes without saying that before taking any decision, Chief Executive Officer shall hear all stakeholders.