



CGHC010396282026

2026:CGHC:44185-DB

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 5237 of 2026

Kanhaiyalal Agrawal S/o Late Kailash Kumar Agrawal Aged About 62 Years Director Of M/s Natural Fuels And Mineral Industry, R/o Flat No. 101, Block-C, Tatibandh, Raipur, District Raipur Chhattisgarh

... **Petitioner**

versus

ROHIT
KUMAR
CHANDRA
Digitally signed
by ROHIT
KUMAR
CHANDRA

- 1** - Union of India Through The Secretary, Ministry of Power, Shram Shakti Bhawan, Rafi Marg, New Delhi 110001
- 2** - Union of India Through The Secretary, Ministry of Agriculture And Farmers Welfare, Krishi Bhawan, New Delhi 110001
- 3** - Union of India Through The Secretary, Ministry of Commerce And Industry, Vanijya Bhawan, New Delhi 110011
- 4** - Union of India Through The Secretary, Ministry of Environment, Forest And Climate Change, Indira Paryavaran Bhawan, Jorbagh Road, New Delhi 110003
- 5** - The Mission Director S A M A R T H Mission (National Mission on use of Biomass in Thermal Power Plants), Greater Noida, U.P. 201306
- 6** - NTPC Limited Through Its Chairman And Managing Director (CMD), SCOPE Complex, 7, Institutional Area, Lodhi Road, New Delhi 110003
- 7** - The Regional Executive Director NTPC Limited (Western Region - II Headquarters), Raipur Chhattisgarh
- 8** - AGM (CPG-1), NTPC Limited Unified Shared Service Centre, Central Purchase Group-1, Western Region II Headquarter, Plot No. 87, Sector-24, Atal Nagar Nava Raipur, Raipur, Chhattisgarh Pin Code 492018

**9 - State of Chhattisgarh Through The Secretary, Department of Energy,
Mahanadi Bhawan, Nava Raipur, Atal Nagar Chhattisgarh**

... Respondents

For Petitioner	: Mr. Hemant Agrawal, Advocate
For Respondent Nos. 1 to 4 / UOI	: Ms. Anmol Sharma, CGC
For Respondent Nos. 6 to 8 / NTPC	: Mr. Prafull N. Bharat, Senior Advocate assisted by Mr. Anuroop Panda, Advocate
For Respondent No. 9 / State	: Mr. Shashak Thakur, Additional Advocate General

Hon'ble Shri Krushna Ram Mohapatra, Chief Justice
Hon'ble Shri Santosh Sharma, Judge

Judgment on Board

Per Krushna Ram Mohapatra, Chief Justice

13.10.2026

- 1 Heard Mr. Hemant Agrawal, learned counsel for the Petitioner.
Also heard Ms. Anmol Sharma, learned Central Government Counsel, appearing for the UOI / Respondent Nos. 1 to 4, Mr. Prafull N. Bharat, learned Senior Counsel assisted by Mr. Anuroop Panda, learned counsel, appearing for NTPC / Respondent Nos. 6 to 8 and Mr. Shashank Thakur, learned Additional Advocate General, appearing for the State / Respondent No.9.

- 2 The writ application has been filed with the following prayers :

1. Issue an appropriate writ, order or direction, directing the Respondent Authorities, particularly Respondent Nos. 6 to 8, to clearly disclose and incorporate in the impugned Tender/Bid Document No. CPG-1/LOT-1/2026 (Annexure P/10) the total quantity of biomass pellets required to be procured during the entire year, including the quantity proposed to be procured in the present phase and the

remaining quantity proposed to be procured during the subsequent period/phases, in accordance with the applicable policies and directions of the Government of India;

2. Issue an appropriate writ, order or direction directing Respondent Nos. 6 to 8 to prescribe and incorporate an appropriate minimum benchmark/reference price for procurement of non-torrefied biomass pellets in the impugned Tender/Bid, keeping in view the policy framework contained in Annexure P/4 dated 16.06.2023 and Annexure P/6 dated 07.11.2025, and the benchmark price relied upon by the Petitioner under Annexure P/5 dated 08.11.2023, so as to ensure a fair, transparent and commercially viable procurement process;

3. Issue an appropriate writ, order or direction directing Respondent Nos. 6 to 8 to incorporate an objective and reasonable credential/work-experience criterion in the impugned Tender/Bid, requiring the bidders to demonstrate adequate prior experience in manufacturing and/or supplying biomass pellets, commensurate with the quantity and nature of the procurement, so as to ensure quality, technical capability, adequate supply capacity, past performance, financial capability and reliability of the bidders, and to ensure uninterrupted supply of biomass pellets;

4. Pass such other order or direction as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case, in the interest of justice.

5. Pending consideration of the aforesaid reliefs, this Hon'ble Court may kindly direct the Respondent Authorities not to finalize the impugned tender or create any third-party rights pursuant thereto, until the aforesaid material deficiencies relating to quantity, benchmark price and bidder credentials/work experience are duly considered and rectified in accordance with law.

6. Pass any such other order(s) as this Hon'ble Court deems fit and proper in the interest of justice.

7. Any other relief which this Hon'ble Court deems fit and proper, in the interest of justice.”

- 3 In course of argument, Mr. Agrawal, learned counsel for the Petitioner submits that in view of the observation in order dated 27.07.2026 passed in WPC No. 3853 of 2026 (Annexure – P/15), he wants to withdraw the writ petition as the tender process has not yet been finalized.
- 4 Mr. Bharat, learned Senior Counsel submits that the Court may consider his prayer in accordance with law.
- 5 In view of the above, the writ petition is **dismissed as withdrawn**.

Sd/-
(Santosh Sharma)
Judge

Sd/-
(Krushna Ram Mohapatra)
Chief Justice