

Court No. - 40

Case :- WRIT - C No. - 32997 of 2023

Petitioner :- M/S Punia Jk Jv And Another

Respondent :- Union Of India And Another

Counsel for Petitioner :- Ashok Kumar Pandey

Counsel for Respondent :- A.S.G.I.,Anupam Kumar

Hon'ble Mahesh Chandra Tripathi,J.

Hon'ble Ram Manohar Narayan Mishra,J.

1. Heard Shri R.K. Pandey, learned counsel for the petitioner and Shri Anupam Kumar, learned counsel for the respondents.

2. The present writ petition is preferred inter alia with following relief:-

"A. to issue a writ, order or direction, in the nature of mandamus, commanding the respondents to communicate the discrepancy, if any, to the petitioner prior to take final decision in the tender."

3. In response to the earlier order, Shri Anupam Kumar, learned counsel for the respondents-North Eastern Railway has placed the instructions, which is taken on record. On the basis of instructions, he submits that the claim set up by the petitioners have already been negated/ rejected by the competent authority.

4. Confronted with this, Shri Ashok Kumar Pandey, learned counsel for the petitioners submits that he is not inclined to press the writ petition. However, leave may be accorded to challenge the rejection order in an appropriate proceeding.

5. In view of above, the writ petition is **dismissed** as not pressed. Needless to say, the petitioners are at liberty to avail the remedy as available in law.

Order Date :- 8.12.2023

Kamarjahan