

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP-18899-2015

Date of decision:- 09.09.2015

M/s Integrated Casetech Consultants Pvt. Ltd.

...Petitioner

Versus

The Haryana State Cooperative Supply & Marketing Federation
Ltd. and others

...Respondents

CORAM: HON'BLE MR. JUSTICE S.J. VAZIFDAR, ACTING CHIEF JUSTICE
HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Surinder Mohan Sharma, Advocate,
for the petitioner.

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S.J. VAZIFDAR, A.C.J. (ORAL)

The petitioner has challenged the respondents' decision to invite tenders for the third time. We see no infirmity in the procedure.

2. The tenders were invited for outsourcing of maintenance and operation of a 2500 TCD HAFED Sugar Mill, Assandh. The tenders were first invited in May, 2015. Only the technical bids had been opened. The process was challenged by another party by filing a writ petition in this Court. The respondents, however, abandoned the tender process on that occasion as a result whereof the writ petition was rendered infructuous. Fresh tenders were invited on 06.07.2015. The scheduled date for opening the bids was 23.07.2015. The bids were, however, only opened on 02.09.2015. It is important to note that, as on the first occasion, even on this occasion, only the technical bids were opened. The price bids were admittedly not opened on either occasion. The petitioner was the only bidder found technically eligible. As there was only one bidder, the respondents were entirely within their rights to invite fresh bids.

3. Granting the relief sought in this writ petition would in effect involve our directing the respondents to award the tender in favour of the petitioner. We see no reason to do so in the facts of the case.

4. Faced with this, it was contended that it is possible that certain terms and conditions have been introduced in the tenders which would make others eligible as well. That cannot possibly be a ground for annulling the tender process. In other words, further competition ought to be encouraged and not discouraged.

5. The petition is, therefore, dismissed.

(S.J. VAZIFDAR)
ACTING CHIEF JUSTICE

(TEJINDER SINGH DHINDSA)
JUDGE

09.09.2015

Amodh