

In the High Court of Punjab and Haryana at Chandigarh

CWP No.19163 of 2015 (O&M)

Date of decision: October 19, 2015

Lalit Kumar

..... Petitioner

Versus

State of Punjab and others

..... Respondents

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

**Present: Mr. T.P.S. Makkar , Advocate for the petitioner.
Mr. Rajinder Goyal, Additional Advocate General, Punjab.**

S.J. VAZIFDAR, ACTING CHIEF JUSTICE

The petitioner has challenged the respondents' action in refusing to accept the tenders submitted by him and inviting fresh tenders.

On 25.06.2015, the respondents invited tenders for certain cement concrete flooring and construction of drainage. The petitioner's bid 0.21% below the estimated cost. His bid was the lowest. Pursuant to further negotiations, the petitioner reduced the bid to 0.50% below estimated cost.

(Annexure P-5) recommended that the petitioner's bid be accepted.

The petitioner's grievance is that despite the same, his bid was not accepted. Similar tenders were invited in respect of 14 sites. The respondents found that the bid in respect of four sites were commercially reasonable and viable. They found the bid in respect of remaining 10 sites to be far too higher. They, therefore, took an informed decision to invite fresh bids in respect of 10 sites including the site which is subject matter of this writ petition. The petitioner also submitted a bid pursuant to the fresh tender process.

The respondents' decision to invite fresh tenders was justified as is clear, inter alia, from the fact that in the fresh tender process, the successful tenderer bid a rate 3.33% below the estimated cost, resulting in a saving almost ₹17 lacs to the exchequer.

The petition is, therefore, dismissed.

(S.J. Vazifdar)
Acting Chief Justice

(Tejinder Singh Dhindsa)
Judge

October 19, 2015