

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

CWP-22899-2015

Date of decision:- 29.10.2015

M/s Goyal Tubewell Store and others

...Petitioners

Versus

The 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. Rajesh Kumar Girdhar, Advocate,
for the petitioners.

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

The petitioners have challenged the respondents' action inviting fresh tenders. The petitioners' grievance is that a notice inviting tenders was issued on 10.07.2015. The petitioners submitted their bid. The technical bids and the financial bids were opened on 17.08.2015 and 21.08.2015, respectively. The petitioners claim that their bid was the lowest. Despite the same, the petitioners contend that a fresh notice inviting tenders was issued on 01.10.2015.

2. There were no malafides on the respondents' part in inviting fresh tenders. The respondents were not bound to accept the lowest tenders. This was a business decision which the respondents are entitled to take. Absent any malafides and/or motive, we see no reason to interfere with the tender process. The petitioners have averred in paragraph 12 that the works were allotted to them. However, it was conceded before us that a work order was not issued in their favour. They merely presume that their bid being the lowest was bound to be accepted which is not sustainable.

3. In these circumstances, the writ petition is dismissed.

(S.J. VAZIFDAR)
ACTING CHIEF JUSTICE

(TEJINDER SINGH DHINDSA)
JUDGE

29.10.2015

Amodh