

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Civil Writ Petition No.27087 of 2015 (O&M)
DATE OF DECISION: 23.12.2015

Babaji Transport Company (Registered)Petitioner
versus
Food Corporation of India and anotherRespondents

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

Present: Mr. Vaibhav Gupta, Advocate for the petitioner
..

S.J. VAZIFDAR, ACTING CHIEF JUSTICE (Oral):

We do not intend interfering in this matter at this stage, although *prima facie* the contention that the second respondent's bid was non-responsive is correct. If the averments in the petition are correct, it is possible that the bid ought to have been rejected in view of our judgment and order dated 30.11.2015 in *Raghubir Singh vs. Food Corporation of India and others* (CWP No.15954 of 2015). However, the work was allotted on 05.09.2014 and the period of contract expires on 05.09.2016. It does appear that the same documents were tendered/relied upon by respondent No.2 in both the matters. However, it will be appropriate for the petitioner, in the first instance, to inform the respondent No.1 of the same. The FCI shall, in that event, examine the matter and take an appropriate decision in accordance with law including by taking into consideration the said judgment and order. The FCI shall take a decision on the petitioner's representation within four weeks of the receipt thereof. Liberty to the petitioner to file a fresh petition thereafter, if necessary.

The writ petition is accordingly disposed of.

(S.J. VAZIFDAR)
ACTING CHIEF JUSTICE

23.12.2015
parkash*

(TEJINDER SINGH DHINDSA)
JUDGE

