

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP No. 16833 of 2016

Date of Decision: 22.8.2016

M/s Zimidara Transport Company, Khattrra, Khanna

....Petitioner.

Versus

Food Corporation of India, New Delhi and others

...Respondents.

**CORAM:- HON'BLE MR. JUSTICE AJAY KUMAR MITTAL.
HON'BLE MR. JUSTICE RAMENDRA JAIN.**

PRESENT: Mr. Anurag Chopra, Advocate for the petitioner.

AJAY KUMAR MITTAL, J.

1. In this writ petition filed under Articles 226/227 of the Constitution of India, the petitioner has prayed for issuance of a writ in the nature of mandamus directing respondent No.2 to consider its tender document/technical bid for Transport Contractor (TC), Sunam pursuant to the tender inquiry dated 26.7.2016 (Annexure P-1). Further, a prayer has been made directing respondent No.2 to consider rejecting the bid dated 25.7.2016 (Annexures P-3 and 4, respectively) submitted by respondents No.3 and 4. Also a direction has been sought to respondent No.2 to decide the legal notices dated 4.8.2016 (Annexure P-5) and dated 15.8.2016 (Annexure P-6) sent by the petitioner.

2. Respondent No.2 vide tender inquiry dated 26.7.2016 (Annexure P-1) under the two bid system invited parties for the appointment of TC at Centre Sunam for a period of two years. In pursuance thereto, the petitioner submitted its tender submission dated 25.7.2016 (Annexure P-2).

Besides the petitioner, respondents No.3 and 4 also submitted their

respective tender bids dated 25.7.2016 (Annexures P-3 and P-4, respectively). The petitioner submitted objections to respondent No.2 against the bids of respondents No.3 and 4, but to no effect. Thereafter, the petitioner sent legal notices dated 4.8.2016 (Annexure P-5) and dated 15.8.2016 (Annexure P-6) to respondents No.1 and 2 raising objections qua the tender bids of respondents No.3 and 4 and for allotment of TC, Sunam to the petitioner, but no response has been received till date. Hence, the present writ petition.

3. Learned counsel for the petitioner submitted that for the relief claimed in the writ petition, the petitioner has sent legal notices dated 4.8.2016 (Annexure P-5) and dated 15.8.2016 (Annexure P-6) to respondents No.1 and 2, but no action has so far been taken thereon.

4. After hearing learned counsel for the petitioner, perusing the present petition and without expressing any opinion on the merits of the case, we dispose of the present petition by directing respondent No.2 to take a decision on the legal notices dated 4.8.2016 (Annexure P-5) and dated 15.8.2016 (Annexure P-6), in accordance with law by passing a speaking order and after affording an opportunity of hearing to the petitioner within a period of two weeks from the date of receipt of certified copy of the order.

(AJAY KUMAR MITTAL)
JUDGE

August 22, 2016
gbs

(RAMENDRA JAIN)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No