

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

CWP-19379-2015 (O&M)
Date of decision:- 15.01.2016

M/s Global Facilities

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE S.J. VAZIFDAR, ACTING CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI

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

Mr. Gurinder Pal Singh, Additional Advocate General, Punjab.

Mr. S.S. Rangi, Advocate,
for respondents No. 2 and 3.

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

The petitioner has challenged the termination of the work awarded to it by a work order dated 09.09.2014 in respect of house keeping for the period 16.09.2014 to 31.03.2015.

2. By our interim order dated 14.09.2015, we, interalia, observed that the impugned order dated 04.09.2015 cancelling the contract merely stated that it was in view of some discrepancies/irregularities without specifying the same. Thereafter, a written statement was filed and an application was moved by the respondents to have the stay order vacated. By our interim order dated 30.11.2015, we observed that the written statement contained only two reasons for cancelling the contract. The first reason was again vague as it merely referred to some discrepancy with regard to the provision of EPF and ESI without specifying what the discrepancy was.

3. We also observed that the second reason was unsustainable as the petitioner had admittedly supplied uniform(s) as per the contractual terms.

The respondents contend that there was an error on their part in having failed to provide for the supply of uniform(s) every month instead of every year.

4. The petitioner cannot suffer on account of an alleged error on the part of the respondents. Despite the observations in the said order, no further affidavit has been filed. Normally, we would not interfere in a purely contractual matter in our exercise of powers under Article 226 of the Constitution of India. However, the facts in this case are virtually established and they admit of no complication whatsoever.

5. In these circumstances, the petition is disposed of by quashing and setting aside the order dated 04.09.2015 (Annexure P-11).

(S.J. VAZIFDAR)
ACTING CHIEF JUSTICE

(ARUN PALLI)
JUDGE

15.01.2016
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