

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP-18449-2016

Date of decision: 06.09.2016

M/s Zimidara Transport Company

..... Petitioner

Versus

Food Corporation of India 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. (ORAL)

1. The petitioner has approached this Court under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus for declaring the tender process carried out of respondent No. 2 in pursuance to tender inquiry dated 26.07.2016 (Annexure P-1) whereby the technical bid submitted by the petitioner dated 25.07.2016 (Annexure P-2) for appointment of Transport Contractor (TC) at Suman was rejected vide impugned orders dated 22.08.2016 and 01.09.2016 (Annexures P-8 and P-14, respectively) being illegal and arbitrary.

2. Learned counsel for the petitioner submitted that inadvertently, he has not incorporated about the earlier writ petition filed by the petitioner bearing CWP-17442-2016 decided on 26.08.2016, in the present writ

petition as the order passed therein was not available with the petitioner. Learned counsel for the petitioner prays that he may be allowed to withdraw the present writ petition, with liberty to file a fresh one on the same cause of action by incorporating the number of the aforesaid writ petition as well as the order passed therein.

3. Dismissed as withdrawn, with the liberty as aforesaid.

**(AJAY KUMAR MITTAL)
JUDGE**

September 06, 2016
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**(RAMENDRA JAIN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No