

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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Civil Writ Petition No.19010 of 2016
Date of decision: September 14, 2016

M/s Dhillon Roadways

....Petitioner

versus

Indian Oil Corporation Ltd. and another

...Respondents

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

Present: Mr. Ashok Gupta, Advocate and
Mr. Eklavya Gupta, Advocate for the petitioner.

AJAY KUMAR MITTAL, J. (Oral)

1. The prayer made in the present writ petition filed under Articles 226/227 of the Constitution of India is for issuance of a writ in the nature of certiorari for quashing the order dated 23.08.2016 (Annexure P-10) whereby the bid/tender submitted by the petitioner has been ejected for the reasons “**not meeting PQC**”. A further writ in the nature of mandamus has been sought for directing the respondents to consider the Bid/tender submitted by the petitioner at the lowest rate i.e. L-1.

2. Learned counsel for the petitioner submitted that vide order dated 23.08.2016 (Annexure P-10), the respondents have rejected the bid submitted by the petitioner in E-tender I.D. No.2015_NRO_25708_1 during technical evaluation on the ground '**not meeting PQC**', without assigning any reason and by passing a non-speaking order. He prays that he may be allowed to withdraw the present writ petition with liberty to the petitioner to approach the

concerned respondent by way of filing a detailed and comprehensive representation laying challenge to the impugned order (Annexure P-10). However, a prayer was made to issue a time bound direction to decide the said representation expeditiously.

3. Dismissed as withdrawn.
4. However, it is observed that in case, such a representation is filed by the petitioner before the concerned respondent within a week from the date of receipt of certified copy of this order, the same shall be decided by the concerned authority within a period of next one week by passing a speaking order and after affording an opportunity of hearing to the petitioner, in accordance with law.

(AJAY KUMAR MITTAL)
JUDGE

(RAMENDRA JAIN)
JUDGE

September 14, 2016
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Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No