

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP No. 20139 of 2016

Date of Decision: 27.9.2016

Harvinder Singh

....Petitioner.

Versus

State of Punjab and others

...Respondents.

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

PRESENT: Mr. Chanchal K. Singla, 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 the official respondents to execute the agreement in his favour pursuant to the allotment/acceptance of Labour/ Cartage contract by the Tender Allotment Committee vide order dated 29.3.2016 (Annexure P-4). Further a direction has been sought to respondents No.2 to 5 to allot work to the petitioner being a successful bidder in the tender process undertaken by respondent No.2.

2. Respondent No.2 issued a tender notice, Annexure P-1, for labour and cartridge work. In response thereto, the petitioner submitted the tender, Annexure P-2, for labour and cartridge work to three agencies, namely, MARKFED, PUNSUP and Punjab Agro. The petitioner submitted the tender at 64% above from the basic rate and as per the policy dated 10.3.2016, he was asked to further decree the tender to 42% from the basic rate. Accordingly, the petitioner again submitted the tender on 10.3.2016 (Annexure P-3) at 42% above the basic rate. The petitioner was granted the tender at the rate of 35% above the basic rate for the aforesaid three

agencies vide Resolution dated 29.3.2016 (Annexure P-4). Respondents No.1 to 5 granted the labour and cartridge work to respondent No.6 against the policy dated 10.3.2016 (Annexure P-5). The petitioner after receipt of the copy of the proceedings dated 29.3.2016, he visited the office of respondent No.5 wherein he was handed over the letter dated 1.5.2016 (Annexure P-6) written by respondent No.6. Accordingly, the petitioner sent e-mail dated 12.8.2016 (Annexure P-7) to respondents No.3 to 5 to execute the necessary agreement, 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 e-mail dated 12.8.2016 (Annexure P-7) to respondents No.3 to 5, 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 e-mail dated 12.8.2016 (Annexure P-7), in accordance with law by passing a speaking order and after affording an opportunity of hearing to the petitioner and respondent No.6 within a period of one month from the date of receipt of certified copy of the order.

(AJAY KUMAR MITTAL)
JUDGE

September 27, 2016
gbs

(RAMENDRA JAIN)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No