

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP No. 20211 of 2016

Date of Decision: 28.9.2016

Sanjeev Chadha

....Petitioner.

Versus

State of Punjab and another

...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 the respondents to decide his representation dated 20.9.2016 (Annexure P-4) and to provide the physical and the official e-versions of the RFP Document along with the Draft Concession Agreement and Information Memorandum required to be filled by the contractors for applying for the tender for construction of SILOs (on Government land) in lieu of tender notice dated 11.7.2016 (Annexure P-1) issued by respondent No.2.

2. Respondent No.2 issued tender notice dated 11.7.2016 (Annexure P-1) inviting proposals for the Development of Modern Wheat Storage Silos in Punjab on Public Private Partnership. The eligibility criteria and evaluation criteria were mentioned in the RFP Document along with the Draft Concession Agreement as well as the Information Memorandum which were to be purchased from the office respondent No.2 on any working day between 11.7.2016 to 9.8.2016 on payment of ₹ 50,000/- by way of demand draft or could be downloaded from the website of respondent No.2 containing the Universal Resource Locator.

Respondent No.2 issued a notice (Annexure P-2) in the newspaper regarding postponement of the tenders for Construction of SILOs from 2.9.2016 to 15.9.2016. Thereafter, a corrigendum (Annexure P-3) was issued for submission of tenders for Construction of SILOs by 23.9.2016. The petitioner requested respondent No.2 for supply of the copies of RFP Document along with the Draft Concession Agreement and the Information Memorandum, but to no effect. Accordingly, the petitioner moved a representation dated 20.9.2016 (Annexure P-4) to respondent No.2 for the supply of RFP Document, Draft Concession Agreement and Information Memorandum, 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 the representation dated 20.9.2016 (Annexure P-4) to respondent No.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 representation dated 20.9.2016 (Annexure P-4), in accordance with law by passing a speaking order and after affording an opportunity of hearing to the petitioner within a period of seven days from the date of receipt of certified copy of the order.

(AJAY KUMAR MITTAL)
JUDGE

September 28, 2016
gbs

(RAMENDRA JAIN)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No