

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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Civil Writ Petition No.23283 of 2015
Date of decision: 28th July, 2016

M/s Garg Construction Company

....Petitioner

versus

State of Punjab and others

...Respondents

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

Present: None for the petitioner.

Mr. Alok Jain, Addl. A.G., Punjab.

Mr. Shakti Mehta, Advocate for
Mr. Sandeep Khungar, Advocate respondents No.2 to 4.

AJAY KUMAR MITTAL, J. (Oral)

1. The challenge in this writ petition filed under Articles 226/227 of the Constitution of India is for quashing of order dated 16.10.2015 (Annexure P-4) (colly.) wherein the technical bid of the petitioner was rejected.

2. Notice of motion was issued on 02.11.2015 and in response thereto, short reply by way of an affidavit of Executive Officer, Improvement Trust, Barnala on behalf of respondents No.2 to 4 had been filed wherein in Para No.2, it has categorically been stated that only two tenders were received out of which one was of the petitioner. In the tender submitted by the petitioner, the technical

bid could not be opened and the authority had decided to call the tenders afresh. Para No.2 of the short reply is reproduced as under:

“That in the E-tendering process only two tenders were received out of which one was of the petitioner and in the tender submitted by the petitioner the technical bid could not be opened. A Technical Computer expert was also called and even then the attachment sent by the petitioner through E-Tendering process was not open-able. Accordingly, the technical bid of the petitioner was rejected and a decision has been taken by the Improvement Trust that the tenders be called afresh.”

3. It was submitted by learned counsel for respondents No.2 to 4 that the petitioner shall also be entitled to participate in fresh E-tendering process.

4. On the aforesaid contention, it was submitted that the present petition has become infructuous and may be disposed of as such.

5. Disposed of as infructuous.

(AJAY KUMAR MITTAL)
JUDGE

(RAMENDRA JAIN)
JUDGE

July 28, 2016
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Whether speaking/reasoned?

Yes/No

Whether reportable?

Yes/No