

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

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**Civil Writ Petition No.24341 of 2015(O & M)
Date of Decision:03.03.2016**

Members Welfare Association, Gurgaonpetitioner

Versus

State of Haryana and othersrespondents

**CORAM: HON'BLE MR.JUSTICE S.J.VAZIFDAR, ACTING CHIEF JUSTICE
HON'BLE MR.JUSTICE ARUN PALLI**

- 1.Whether Reporters of local papers may be allowed to see the judgement?**
- 2.To be referred to the Reporters or not?**
- 3.Whether the judgment should be reported in the Digest?**

Present: Mr.Sanjiv Narang, Advocate
for the petitioner

Mr.Rahul Dev Singh, DAG Haryana
for respondent No.1

Mr.Deepak Sabharwal, Advocate
for respondent No2-HUDA

S.J.VAZIFDAR, ACTING CHIEF JUSTICE (ORAL):

Written statement on behalf of respondent No.2 has been
filed in the Court and the same is taken on record.

The petitioner seeks an order declaring the contracts
entered into between respondents No.1 and 3 i.e. M/s Deva
Swimming Institute, for running, maintenance and operation of the
swimming pool and gymnasium at the club, as *void ab initio*, and for
an order directing the official respondents to follow tendering
guidelines of the Government of Haryana and of the Central
Vigilance Commission for procurement of services for the club.

The petitioner's grievance stands redressed. Pursuant to
the petitioner's complaint, the official respondents addressed a letter

dated 04.04.2015 to respondent No.3 i.e. M/s Deva Swimming Institute, terminating the contract with immediate effect. Mr.Sabharwal, learned counsel appearing on behalf of the official respondents states that M/s Deva Swimming Institute, will, henceforth, not be permitted to continue operating the contract.

We do not express any view regarding the validity of the petitioner's claim or regarding the validity of the official respondents' decision to terminate the contract. Those issues are pending before the learned Arbitrator.

We have only accepted the statement on behalf of the official respondents. Needless to add that it does not affect the rights of the private respondent to seek any relief before the appropriate forum including before the learned Arbitrator. This order, obviously, cannot affect the orders passed by the Arbitrator or any other competent authority.

The petition is accordingly disposed of.

(S.J. VAZIFDAR)
ACTING CHIEF JUSTICE

(ARUN PALLI)
JUDGE

March 03, 2016
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