

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

CWP No.5298 of 2016
Date of decision: 25.05.2016

The Khaira Co-Operative L&C Society Ltd. and another

... Petitioners

Versus

State of Punjab and others

... Respondents

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

Present: Mr. Rajesh Kumar Girdhar, Advocate for the petitioners.
 Mr. Rajinder Goyal, Addl. AG, Punjab,
 for respondents No.1 and 2.
 Mr. SC Pathela, Advocate.
 Mr. Surjit Singh Swaich, Advocate for respondent No.5.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

S.J. VAZIFDAR, A.C.J. (Oral)

The petitioners have challenged the rejection of their respective bids on the ground that they were non-responsive. The terms and conditions of the tender required the bidders to upload the details of the technical staff to be deputed on project and their qualifications. The petitioners did not do so.

2. Their case is by a corrigendum dated 23.02.2016 only hard copies were necessary. This is incorrect. The corrigendum does not amend

clause 46 of the notice inviting tender, which required them to upload the aforesaid detail. By the corrigendum, the following term was added:

“53. Hard copies of the identity proofs of society members, technical staff, capacity certificate and renewed licence of Contractor/Society and self declaration regarding capacity and non black listed by any deptt. should be deposit in the Nagar Panchayat office by 01/03/2016 upto 11.00 AM.”

3. In other words, the petitioners were required to both upload the said details as well as provide hard copies in respect thereof. In this view, it is not necessary to consider the respondents' contention that even hard copies have not been submitted.

4. Further, in this view, it is also not necessary to consider the respondents' other contentions on the basis whereof they contend that the petitioners' bids were non-responsive.

5. The petition is accordingly dismissed.

(S.J. Vazifdar)
Acting Chief Justice

(Arun Palli)
Judge

May 25, 2016
Rajan