

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

CWP No.12665-2016

Date of Decision : 22.03.2017

Rakesh Kumar

...Petitioner

Versus

Food Corporation of India and others

...Respondents

***CORAM: HON'BLE MR. JUSTICE S.J. VAZIFDAR CHIEF JUSTICE
HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL***

Present: Mr. K.K.Goel, Advocate
for the petitioner.

Mr. K.K.Gupta, Advocate
for respondents no.1 to 3 – FCI.

Mr. Bhupinder Ghai, Advocate
for respondent no.4.

S.J. Vazifdar, C.J.(Oral)

The petitioner seeks issuance of a writ of mandamus to re-invite the tender by the official respondents on the bids submitted by respondents no.4 and 5. The work orders were issued about a year ago. Half of the time of the tender period has elapsed. There was no stay during the pendency of this petition. In any event, considering the nature of the objections raised to the fourth respondent's tender, we are not inclined to interfere in this petition.

Respondent no.4 submitted a bid as an individual. His failure, therefore, to place a seal on some of the documents along with his signature is not relevant. It is not necessary that an individual must have a seal.

Moreover, the failure to mention the capacity in which the petitioner has

submitted the bids also does not appear to be material in the facts and circumstances of the present case. The fourth respondent's documents have not been produced. The petitioner could always have asked for the same. The tender documents submitted indicate that the bid was in an individual capacity and not for or on behalf of any other person or entity.

The objection as to Appendix II is also not well founded. The petitioner, in paragraph 1, has stated that the tender is submitted for appointment of Handling and Transport Contractor from “Ambala Cantt” to “Rail Head Ambala Cantt”. The notice inviting tenders specifically mention in respect of District Karnal that the transportation is to take place from “Ambala Cantt.” to the “Ambala Cantt. Rail Head”. The e-tender notice also states that the material is to be transported to the depots of adjoining regions of the centres of the Haryana region.

Writ petition is, therefore, dismissed.

(S.J. VAZIFDAR)
CHIEF JUSTICE

22.03.2017
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(ANUPINDER SINGH GREWAL)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No