

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

**CWP No. 17578 of 2017
Decided on : 05.09.2017**

The New Smagh Co-op. L&C Society Ltd.

. . . Petitioner

Versus

State of Punjab and others

. . . Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE AMIT RAWAL**

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

Mr. Jaswinder Singh, Sr. DAG, Punjab.

Mr. I.S. Brar, Advocate
for respondent No.9.

AJAY KUMAR MITTAL, J. (Oral)

The petitioner has approached this Court under Articles 226/227 of the Constitution of India, for quashing the orders dated 27.09.2016, 22.03.2016 and 21.04.2016 (appended as Annexures P-14, P-1 & P-6, respectively), whereby, the labour cartage contract was awarded in favour of respondents No.8 and 9 and the tender of the petitioner had been rejected. It was claimed that the same was against the policy dated 10th March, 2016 (Annexure P-4), issued by respondent No.1, without re-inviting the tenders and blacklisting respondent No.9, as respondent No.9 refused to execute the award/approved contract as per the policy.

2. At the outset, on a query being put to the learned counsel for the petitioner regarding the period of contract, it was stated that the same has already expired on 31st March, 2017. On further query to learned counsel for the petitioner whether anything survives at present in the case, it

was claimed that the petitioner has a right to claim the damages

against the respondents including the private respondents as well. He prayed that since the period of contract has expired, therefore, the present writ petition may be disposed of by permitting the petitioner to file a civil suit in respect of the relief as claimed in the writ petition.

3. In view of the above, the present writ petition stands dismissed as withdrawn. However, liberty is granted to the petitioner take recourse to the remedies as may be available to it, in accordance with law.

(AJAY KUMAR MITTAL)
JUDGE

(AMIT RAWAL)
JUDGE

September 05, 2017

J.Ram

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No