

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

**CWP No. 19400 of 2017
Decided on : 27.09.2017**

M/s Budget Signs

. . . Petitioner

Versus

Union of India and others

. . . Respondents

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

PRESENT: Mr. D.S. Brar, Advocate
for the petitioner.

Mr. Ashok Kumar Bazaz, Advocate
for respondent No.4.

AJAY KUMAR MITTAL, J. (Oral)

The challenge in this writ petition filed under Articles 226/227 of the Constitution of India, is to the Letter of Revocation dated 04.08.2017 (appended as Annexure P-14), whereby, formal Award of Contract (Letter of Acceptance of the bid) dated 22nd June, 2017 (Annexure P-10) was sought to be withdrawn in respect of the tender No. LGD/2017-18/6, dated 28.04.2017 for PROPOSED ROAD SIGNAGES AT DIFFERENT PLACES IN LUDHIANA CITY UNDER SMART CITY MISSION (Annexure P-3).

2. Learned counsel for the petitioner submitted that vide Annexure P-10, on 22.06.2017, Letter of Acceptance was issued to the petitioner by respondent No.5 in respect of the tender No. LGD/2017-18/6, dated 28.04.2017 for PROPOSED ROAD SIGNAGES AT DIFFERENT PLACES IN LUDHIANA CITY UNDER SMART CITY MISSION. However, vide Annexure P-14, issued on 04.08.2017, the same had been sought to be revoked without affording any opportunity of hearing and without passing any speaking order, which is the basic requirement of law

under the principles of natural justice.

3. Upon notice of motion having been issued, Mr. Ashok Kumar Bazaz, Advocate, has put in appearance on behalf of respondent No.4. On a specific query being put to learned counsel for respondent No.4, as to how Annexure P-14 complied with the principles of natural justice, when no opportunity of personal hearing was granted to the petitioner and also no speaking order has been passed. Learned counsel for respondent No.4 was unable to justify the same.

4. Accordingly, after hearing learned counsel for the parties, perusing the averments made in the writ petition and without expressing any opinion on the merits of the controversy, we deem it appropriate to set aside Annexure P-14 having been passed in violation of principles of natural justice. However, we grant liberty to respondent No.4 to pass a fresh speaking order after affording an opportunity of hearing to the petitioner, within a period of 15 days from the date of receipt of certified copy of this order, in accordance with law.

5. The writ petition stands disposed of accordingly.

(AJAY KUMAR MITTAL)
JUDGE

(AMIT RAWAL)
JUDGE

September 27, 2017

J.Ram

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No