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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-20404-2017 (O&M)

Date of decision : 15.09.2017

M/s A&A Gupta Company

... Petitioner(s)

Versus

Union of India and others

... Respondent(s)

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

Present: Mr. Amit Kumar Saini, Advocate
for the applicant/petitioner.

AJAY KUMAR MITTAL, J. (ORAL)

CM-13008-2017

This is an application under Order 9 Rule 4 read with Section 151 of the Code of Civil Procedure for restoration of the above-mentioned writ petition, which was dismissed for want of prosecution on 08.09.2017.

After hearing learned counsel for the applicant/petitioner and perusing the averments made in the application, which is supported by an affidavit, the application is allowed and the writ petition is ordered to be restored to its original number.

CWP-20404-2017

The petitioner has approached this Court under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of *certiorari* setting aside the order/letter dated 05.07.2017 (Annexure P-7), whereby respondent No.6 has been allotted the "tender for provision of Gate Mitras", without considering the Government notification dated 20.04.2017

and without following the procedure for allotting tender. A further writ of *mandamus* has been sought for directing the respondents to consider the bid of the petitioner-firm and to allot the "tender for provision of Gate Mitras".

2. After arguing for sometime, learned counsel for the petitioner submits that he may be allowed to withdraw the present writ petition with liberty to the petitioner to take recourse to the remedies in accordance with law, since the term of the agreement has come to an end on 31.03.2017.

3. Dismissed as withdrawn. However, it shall be open to the petitioner to take recourse to the remedies as may be available to it, in accordance with law.

(AJAY KUMAR MITTAL)
JUDGE

(AMIT RAWAL)
JUDGE

15.09.2017
Yogesh Sharma

Whether speaking/reasoned **Yes/ No**

Whether Reportable **Yes/ No**