

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CWP No.25222 of 2015

Date of decision: November 14, 2017

M/s Surinder Singh & Company & others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. J.S. Toor, Advocate for the petitioners.

Mr. Vikas Mohan Gupta, Addl. Advocate General, Punjab.

Rajan Gupta, J.(oral)

Challenge in the present writ petition is to the condition imposed on the petitioners to use a Batch Type Hot Mix Plant for Bitumen work above the value of rupees five crores. It has been urged before the court that the respondents have followed the policy laid down for construction of National Highways without considering the cost, which may be incurred by the petitioner for installing a Batch Type Hot Mix Plant. Decision is unsustainable as same has not been taken at the level of the Government. Mr. Toor points out that no opportunity of hearing was afforded to any of the petitioners before decision was taken. He submits that he shall be satisfied if such opportunity is granted.

Learned State counsel (on instructions from Mukesh Goel, Chief Engineer, Quantity Control, PWD (B&R), Mohali, however, submits that a decision was taken after a joint meeting was held under the chairmanship of Secretary, Public Works, Punjab.

It appears, interests of justice would be met if an opportunity of hearing be afforded to them and decision is taken thereafter.

The petition is disposed with a direction that in case representative(s) of the petitioners appears before respondent No.1 within two weeks from today, their grievance may be heard and appropriate decision be taken.

(RAJAN GUPTA)
JUDGE

November 14, 2017
'Rajpal'

Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No