

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CWP No.26240 of 2015 (O&M)
Date of decision:04.10.2017

Jaswinder Singh Bal

... Petitioner

Vs.

State of Haryana and another

... Respondents

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

Present:- None for the petitioner.

Mr. Lokesh Sinhal, Advocate
for respondent No.2.

AJAY KUMAR MITTAL, J. (ORAL)

1. In this writ petition filed under Article 226 of the Constitution of India, the petitioner has prayed for issuance of a writ in the nature of certiorari for quashing of tender notice dated 22.09.2015 (Annexure P-4) alleging the same to be contrary to the principle of public auction for grant of mining lease/State largessee as well as being contrary to the provisions of Section 17-A of the Mines and Minerals (Development and Regulation) Act, 1957.

2. Learned counsel for respondent No.2 has pointed out that interim order which was passed by this Court on 17.12.2015 was modified on 31.05.2016, whereby, it was directed that work order may be allotted to the lowest bidder i.e. M/s KIOCL- Rungta Projects Limited, which shall,

however, be subject to final decision of the writ petition.

3. Learned counsel for respondent No.2 has produced a communication dated 04.10.2017 in Court today which was received from respondent No.2, addressed to him intimating that tender No.4888/2015 was offered to the successful bidder KIOCL-Rungta Projects Ltd. and the said firm declined to accept the Letter of Award (LOA). Thereafter, remaining bidders had also refused to accept the same. In such circumstances, the said tender No.4888 of 2015 dated 22.09.2015 could not worked out and has been cancelled by the Corporation. The aforesaid communication has been taken on record. Office to tag the same at an appropriate place.

4. In view of the above, it was submitted by learned counsel for respondent No.2 that present writ petition has been rendered infructuous and the same may be disposed of as such.

5. Ordered accordingly. However, it is clarified that the petitioner is at liberty to move an application for revival of the writ petition in case something survives.

6. This order shall also dispose of all pending civil miscellaneous applications.

(AJAY KUMAR MITTAL)
JUDGE

(AMIT RAWAL)
JUDGE

October 04, 2017

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Whether Speaking/Reasoned

Whether Reportable

Yes/No

Yes/No