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

CWP-21895-2017

Date of decision : 24.10.2017

Avtar Transport Company Regd.

... Petitioner(s)

Versus

Hindustan Petroleum Corporation Ltd.

... Respondent(s)

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

Present: Mr. P.P.S. Thethi, Advocate
for the petitioner.

Mr. Raman Sharma, Advocate
for the respondent.

AJAY KUMAR MITTAL, J. (ORAL)

The petitioner has approached this Court under Articles 226/227 of the Constitution of India, *inter alia*, for issuance of a writ in the nature of *certiorari*, quashing/setting aside and cancelling the notice inviting tender No.17000181-HD-10157 (Annexure P-4). A further writ of *mandamus* has been sought for directing the respondents to reserve 20% of the tender requirement for the Micro & Small Enterprises.

2. Learned counsel for the respondent submitted that 20% reservation of the tender requirement has been made for Micro & Small Enterprises, which is the relief sought in the present writ petition. Reference was made to the written statement and particularly Clause 8 (at page 69 of the paper book) and Clause 18 (at page 37 of the paper book) contained in the Tender Document, which reads as under:-

Clause 8 Preference to Micro & Small Enterprises: *In
line with the guidelines of Ministry of Micro, Small &*

Medium Enterprises, (a) 20% of the total number of Tank Trucks required, shall be inducted from tenderers registered as MSEs, who have quoted within L1+15% subject to their matching L1 finalized rate, in case they are not already part of the set of L1 tenderers above. (b) 20% of the above 20% in (a) is reserved for SC/ST MSEs, subject to the overall reservation as per Govt. of India directives.

Clause 18 Purchase Preference : *Central Public Sector Enterprises/SSI units registered with MSE (certified copy required) shall be extended purchase preference as per government guidelines in force from time to time."*

3. In view of above, learned counsel for the petitioner submitted that he may be allowed to withdraw the present writ petition.

4. Ordered accordingly.

**(AJAY KUMAR MITTAL)
JUDGE**

**(AMIT RAWAL)
JUDGE**

24.10.2017
Yogesh Sharma

Whether speaking/reasoned **Yes/ No**

Whether Reportable **Yes/ No**