

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

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**Civil Writ Petition No.24709 of 2017
Date of decision: November 01, 2017**

The Prabhat Cooperative Labour & Construction Society Ltd.

....Petitioner

versus

State of Punjab and others

....Respondents

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

Present: Mr. R.S. Randhawa, Advocate for the petitioner.

AJAY KUMAR MITTAL, J. (Oral)

1. The petitioner is aggrieved by the allotment order dated 15.04.2017 (Annexure P-2) passed by respondent No.3, whereby the allotment of the labour and cartage work for storage point Talwandi Bhai for the year 2017-18 has been allotted to respondent No.7 in violation of policy for labour and cartage tender for the year 2017-18 and instructions issued vide Notification No.76/52/79-C.1(5)/4342 dated 02.10.2014. Further prayer has also been made to direct the respondents to allot the said work to the petitioner for the year 2017-18 being fully eligible as per the labour and cartage policy for the year 2017-18 and instructions dated 02.10.2014.

2. It was not disputed by learned counsel for the petitioner that the period of tender is upto 31.03.2018. On a query being put to learned counsel for the petitioner as to why the petitioner has approached this Court after a period of seven months from the passing of the impugned allotment order, no satisfactory explanation has been tendered by him. Further allotment of tender is a matter of contract and the scope of judicial review under Articles 226/227 of the Constitution of India is limited unless the same is shown to be mala fide or arbitrary. Nothing has been shown by learned counsel for the petitioner to establish that the action taken by the respondents is illegal, mala fide or arbitrary in allotting contract to respondent No.7.

3. In such circumstances, we do not find any justification to entertain this petition at this stage. Consequently, the writ petition is dismissed.

(AJAY KUMAR MITTAL)
JUDGE

(AMIT RAWAL)
JUDGE

November 01, 2017
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Whether speaking/reasoned?
Whether reportable?

Yes/No
Yes/No