

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

201

**Civil Writ Petition No.6965 of 2016
Date of Decision: August 16, 2017**

M/s Global Facilities

...Petitioner

versus

State of Punjab and others

...Respondents

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

Present: Mr. Sanjiv Gupta, Advocate for the petitioner.

Mr. IPS Doabia, Addl. A.G., Punjab.

Mr. I.S. Sidhu, Advocate for respondents No.2 to 6.

AJAY KUMAR MITTAL, J. (Oral)

The petitioner has approached this Court under Articles 226/227 of the Constitution of India for quashing the fresh tender notice dated 30.03.2016 (**Annexure P-18**) vide which fresh tender has been issued for annual maintenance of PHS services fire-fighting etc. The same has been claimed to be illegal primarily on the ground that as per Clause 18 of the Contract, the initial period of contract will be 6½ months which shall be extendable upto three years by extending the same for 12 months on satisfactory completion of preceding contract period with 5% increase in the contract amount per year.

2. On April 12, 2016, while issuing notice of motion, learned

counsel for the petitioner had submitted before this Court as under:-

“In view of Clause-18 of the NIT, prima facie it appears that the petitioner is entitled, as a matter of right, to have the contract extended for three years. The 3 years' period would expire only sometime in the year 2017. No reasons have been given for not extending the contract. Instead, fresh tenders have been invited.”

3. Learned counsel appearing for respondents No.2 to 6 states that by virtue of interim order passed by this Court on 12.04.2016, the petitioner-Firm has been continuing its contract/work and the said period of three years as stipulated in Clause-18 of the Contract, is going to expire on 15.09.2017. It was also stated by learned counsel that till 15.09.2017, the petitioner-Firm shall be allowed to continue and 5% increase as admissible in the contract amount per year shall also be paid to it.

4. In view of the statement made by learned counsel for respondents No.2 to 6, no further grievance remains in the present writ petition and the same is disposed of as such.

(AJAY KUMAR MITTAL)
JUDGE

(AMIT RAWAL)
JUDGE

August 16, 2017
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Whether speaking/reasoned?

Yes/No

Whether reportable?

Yes/No