

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

**CWP-5550-2017 (O&M)
Date of Decision : 27.04.2017**

GAUTAM DATTA

...Petitioner

Versus

UNION OF INDIA AND ORS.

...Respondents

***CORAM: HON'BLE MR. JUSTICE S.J. VAZIFDAR CHIEF JUSTICE
HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL***

Present: Mr. Sumit Jain, Advocate
for the petitioner.

Mr. Sourabh Goel, Advocate
for respondents No.2 and 3.

Mr. Kuldeep Tiwari, Advocate
for respondent No.4.

S.J. Vazifdar, C.J.(Oral)

The petitioner has challenged the respondents' decision to invite tenders for running the chemist shop at the Government Medical College and Hospital, Sector 32, Chandigarh on the ground that he has entered into a contract with the respondent No.4 for running the chemist shop for a period of five years which expires on 31.01.2019. The respondents on the other hand contend that they are entitled to terminate the contract by giving a notice of one month.

It is not necessary for us to decide this issue in this petition. The petitioner does not have a right to challenge the tender process as he admittedly does not wish to participate in the tender process at all. He merely seeks to protect his alleged rights under the contract. The petitioner

has made it clear that he does not intend vacating the premises till the expiry of the period under the contract. The respondents state that they will adopt proceedings for the purpose of obtaining possession of the premises in accordance with law. It is not necessary to entertain this petition as the petitioner can raise his contentions by way of defence in any proceedings that the respondents may take or challenge any action that the respondents may adopt for obtaining possession. The rights and the contentions of the petitioner and the respondents are kept open including the respondents' rights to claim compensation for wrongfully refusing to handover possession and the petitioner's rights to claim compensation for the alleged wrongful termination.

The petition stands disposed of accordingly.

(S.J. VAZIFDAR)
CHIEF JUSTICE

(ANUPINDER SINGH GREWAL)
JUDGE

27.04.2017

SwarnjitS

Note:	Whether speaking/reasoned	Yes/No
	Whether reportable	Yes/No