

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 7695 of 2017
Date of Decision : 26.04.2017

M/s Shiva Enterprises

...Petitioners

Versus

State of Punjab and others

...Respondents

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

Present: Mr. Deepak Gupta, Advocate for the petitioners.

Ms. Sudeepti Sharma, Deputy Advocate General, Punjab.

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

The petitioners have challenged the respondents having invited fresh tenders. They contend that the work ought to have been allotted to them as their bid was the most competitive under the first tender process.

A letter dated 27.03.2017 was tendered in Court. The same is taken on record and marked 'X'. The Chief Engineer (P.R.) Punjab was of the view that the bids were on the higher side and that the respondents would be benefitted if fresh tenders were invited. His perception was not incorrect as under the fresh tender process more competitive bids were received. The respondents benefit to the extent of ₹44 lacs.

The amount of ₹44 lacs constitutes only a 7.4% reduction in the price. We do not suggest, therefore, that the bids submitted under the first tender process were absurdly low. However, the decision making

process cannot be faulted. There is nothing to indicate that the decision to invite fresh tenders was absurd, arbitrary and mala fide. Thus, although the respondents benefit only marginally, we see no reason to interfere with the decision.

The writ petition is, therefore, dismissed.

(S.J. VAZIFDAR)
CHIEF JUSTICE

(ANUPINDER SINGH GREWAL)
JUDGE

26.04.2017
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Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No