

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-COM No.58 of 2017 (O&M)

Date of Decision: 05.05.2017

M/s Prime Services

....Petitioner

Vs.

State of Haryana and others

....Respondents

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

Present: Mr.Shekhar Verma, Advocate,
for the petitioner.

Mr.Ravi Partap, AAG, Haryana.

Mr.Sunil K. Nehra, Advocate,
for respondent No.4.

RAKESH KUMAR JAIN, J. (ORAL)

CM No.51 of 2017 (O&M)

This application is filed by respondent No.4 in order to place on record counter to the rejoinder filed by the petitioner to its written statement on the ground the petitioner has made a new case.

Application is allowed as prayed for.

CWP-COM No.58 of 2017 (O&M)

I have heard learned counsel for the parties.

Learned counsel for the petitioner has basically argued that respondent No.4 is not qualified for the allotment of tender and in this regard he has referred to the minimum eligibility requirement for the bidders, which read as under: -

“Bidder must have experience of operating Food Point / Mess / Kitchen /Equivalent/in a Govt. Institutions or Organization/University/Semi Govt. Institution or organization/recognized Educational Institution of minimum 600 person capacity. The certificate to this effect from the client must be furnished by the bidder.”

Learned counsel for the petitioner, while referring to the photographs placed on record as Annexures P-13 & P-14, has submitted that respondent No.4 is running a café which cannot cater the needs of minimum 600 persons.

On the other hand, learned counsel for the respondents has submitted that the photographs Annexure P-13 and P-14 are pertaining to the BPS Mahila Vishwa Vidhyalay, Khanpur Kalan and not to the MD University, Rohtak. He has also submitted that the menu appended with the petition as Annexure P12 is also of the Cafe at BPS Mahila Vishwa Vidhyalay, Khanpur Kalan otherwise, it is submitted that respondent No.4 is running shops No.1-2 at MD University, Rohtak besides shop No.10 at Mini Market, BPS Mahila Vishwa Vidhyalay, Khanpur Kalan and shop No.14 at Shopping Complex, DCRUST, Murthal. It is also submitted that the certificate has been given by the respondent/University that the respondents are running a café catering the need of about 1000 persons.

After hearing learned counsel for the parties and examining the available record, I am of the considered opinion that respondent No.4 fulfils the minimum eligibility requirement as it is provided therein that the bidder should have experience of operating food point and it should be in the University. Respondent No.4 fulfils the said requirements as it is running a food point/café in the MD University, Rohtak and is catering the needs of more than 600 persons.

Thus, in view of the above, there is hardly any reason with this Court to interfere in this petition and as such the same is hereby dismissed.

(RAKESH KUMAR JAIN)
JUDGE

05.05.2017

Vivek

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*