

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

**CWP-COM No.7 of 2017
Date of Decision:19.01.2017**

**Chandigarh Public Health Government Contractors
Welfare Society, 2041** **.....Petitioner**

Vs.

Finance Secretary, UT, Chandigarh **.....Respondent**

CORAM:- HON'BLE MR. JUSTICE RAKESH KUMAR JAIN

Present:- Mr. Anmol Rattan Sidhu, Sr. Advocate, with
Mr. Arun William, Advocate for the petitioner.

RAKESH KUMAR JAIN, J.(Oral)

The petitioner is a Society, having enlisted 'Class A' contractors for the public health works, machinery works and AC works. It has challenged the Notice Inviting Tender Nos.C.E.U.T No.25231 dated 27.12.2016 (Fresh Composite Tenders) inviting composite works bids from civil contractors against the earlier practice of issuing tenders for separate works for civil, electrical, public health and sanitation.

Counsel for the petitioner has submitted that earlier a writ petition bearing CWP No.7279 of 2016 was filed by the Chandigarh Government Electrical Contractors Association to challenge some composite tenders in which notice was issued on 23.4.2016 and the writ petition was ultimately disposed of on 12.05.2016 because the entire tender process was scrapped except for the work of Serial No.2 of the tender notice and the grievance of the petitioner therein was redressed to that extent at that stage. However, the learned senior counsel has fairly produced an order

passed by this Court in a bunch of three petitions in which the lead case was CWP No.9711 of 2016 – Enlisted Electrical Contractors Association (Regd.) v. State of Punjab and others, which was filed to challenge a similar composite tender and a prayer was made for seeking a direction to the respondents therein to continue with the issuance of separate tenders for civil, electrical and public health works. The said writ petitions were dismissed by a Division Bench of this Court on 23.11.2016 observing that the issuance of composite tenders by the State Government or its agencies by no stretch of imagination amounts to depriving of the right of livelihood to the members of the petitioner association, because no restriction was imposed upon them for not executing or doing any work in their individual and private capacity.

The controversy involved in the present case is fully covered against the petitioner by the order passed in the case of Enlisted Electrical Contractors Association (Regd.) (supra). Therefore, I do not find any merit in the present petition. The same is hereby dismissed.

January 19, 2017
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(RAKESH KUMAR JAIN)
JUDGE

Whether Speaking/reasoned	Yes
Whether Reportable	Yes/No