

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

**CWP No. 11521 of 2018
Decided on : 07.05.2018**

The Moonak Truck Operator Transport Sabha (Regd.)

. . . Petitioner

Versus

State of Punjab and others

. . . Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL, ACTING CHIEF JUSTICE
HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA**

PRESENT: Mr. Gopal Singh Nahel, Advocate
for the petitioner.

AJAY KUMAR MITTAL, A.C.J.

In this writ petition filed under Articles 226/227 of the Constitution of India, the petitioner has prayed for issuance of a writ in the nature of certiorari for quashing impugned order dated 01.05.2018 (appended as Annexure P-5), passed by respondent No.4 and allotment of tender in favour of respondent No.6. Further, a writ of mandamus has been sought directing the respondents either to allot the tender in the name of the petitioner or to consider and take a final decision on the petition Annexure P-4, filed by the petitioner. A further prayer for staying the operation of impugned order for allotment of tender for transportation of food grain in the area of Moonak-1, 2 & 3 for the year 2018-19 in the name of respondent No.6 has also been made.

2. Learned counsel for the petitioner has submitted that for the relief claimed in the writ petition, the petitioner had served a legal notice dated 08.04.2018 (Annexure P-3) upon the respondents, but no action has so far been taken thereon. He, however, prayed that liberty be granted to the petitioner to file a detailed and comprehensive representation before the appropriate authority by incorporating the grievance as raised in the present writ petition and direction be issued to the authority concerned to decide the representation expeditiously in a

time bound manner in accordance with law.

3. After hearing learned counsel for the petitioner, perusing the present petition and without expressing any opinion on the merits of the case, we dispose of the present petition by granting liberty to the petitioner to file a detailed and comprehensive representation raising all the pleas as raised in the present writ petition before the appropriate authority. It is directed that in the event of a representation being filed by the petitioner within a period of one week from the date of receipt of the certified copy of the order, the same shall be decided in accordance with law by passing a speaking order and after affording an opportunity of hearing to the petitioner as well as respondent No.6 within a period of two weeks from the date of receipt of the representation. The petitioner shall be entitled to lead any evidence to substantiate his claim before the concerned authority.

(AJAY KUMAR MITTAL)
ACTING CHIEF JUSTICE

(TEJINDER SINGH DHINDSA)
JUDGE

May 07, 2018
J.Ram

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*