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

CWP No.12497 of 2018 (O&M)

Date of Decision: 17.05.2018

Lakhvir Singh

... 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. L.S.Sidhu, Advocate,
for the petitioner.

AJAY KUMAR MITTAL, ACJ.(ORAL)

The petitioner has approached this Court under Article 226 of the Constitution of India with the following prayers:-

i) For issuance of a writ in the nature of Certiorari quashing the proceedings dated 16.04.2018 (Annexure P-7) of tenders for Labour and Cartage of Wheat, procured during RMS-2018 at Gidderbaha, District Shri Muktsar Sahib to various Storage Centres and allotment of tender of Mukesh Kumar, Contractor, respondent No.6.

ii) For issuance of a further writ in the nature of Mandamus directing respondent Nos.1 to 4 to allot the tenders being lowest rates quoted by the petitioner AND

iii) For issuance of a further writ in the nature of Mandamus directing respondent Nos.1 to 4 to blacklist respondent No.5, for a period of minimum 02 years in accordance with Clause 11 of "The Punjab Labour and Cartage Policy 2018-19" since they

being successful bidders, after due acceptance of the tender/offer, have refused to perform the obligation under contract.

2. At the outset, learned counsel for the petitioner stated that he does not wish to press the above said prayer No.iii and the same may be treated as withdrawn.

3. Learned counsel for the petitioner further stated that petitioner had submitted valid technical bid and financial bid against the tenders but respondent Nos.1 to 4 had erroneously allotted tender to respondent No.6.

4. Counsel for the petitioner prays that liberty be granted to the petitioner to file a detailed and comprehensive representation before the appropriate authority by incorporating the grievances as raised in the present writ petition and a direction be issued to the authority concerned to decide the representation expeditiously in a time bound manner in accordance with law.

5. After hearing learned counsel for the petitioner, perusing the present writ petition and without commenting anything 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 respondent No.2 i.e. Deputy Commissioner, Shri Muktsar Sahib-cum-Chairman, District Tenders Committee within a week from the date of receipt of certified copy of this order. It is directed that in the event of a representation being filed by the petitioner within the aforesaid period, the same shall be decided by the said authority within next

15 days by passing a speaking order and after affording an opportunity of hearing to the petitioner as well as respondent No.6 in accordance with law.

(AJAY KUMAR MITTAL)
ACTING CHIEF JUSTICE

(TEJINDER SINGH DHINDSA)
JUDGE

17.05.2018
vandana

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No