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

CWP No.13546 of 2018 (O&M)

Date of Decision: 25.05.2018

M/s Builders India

... Petitioner

Versus

Union of India and others

... Respondents

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

Present:- Mr. Akshay Sethi, Advocate,
for the petitioner.

AJAY KUMAR MITTAL, ACJ.(ORAL)

The petitioner has approached this Court under Articles 226/227 of the Constitution of India seeking issuance of a writ in the nature of certiorari for quashing communication dated 13.01.2018 (Annexure P-16) passed by Chief Engineer South Western Command whereby the petitioner has been declared ineligible for handling more work load. Further, a writ of mandamus has been sought for directing the respondents to consider the petitioner for future tenders. A further prayer for restraining the respondents from debarring or black listing the petitioner has been made.

2. Counsel for the petitioner prayed 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.

3. After hearing learned counsel for the petitioner, perusing the present writ petition and without expressing any opinion on the merits of the controversy, 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. The Engineer-in-Chief, Army Headquarter, Kashmir House, DHQPO, Rajaji Marg, New Delhi-110011 within a period of 05 days 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 10 days by passing a speaking order and after affording an opportunity of hearing to the petitioner in accordance with law.

(AJAY KUMAR MITTAL)
ACTING CHIEF JUSTICE

(TEJINDER SINGH DHINDSA)
JUDGE

25.05.2018

vandana

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No