

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

**CWP-15394-2018
Date of Decision: July 02, 2018**

Superior Aircon Pvt. Ltd.

...Petitioner

Versus

State of Haryana and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE KRISHNA MURARI,
CHIEF JUSTICE.
HON'BLE MR. JUSTICE ARUN PALLI, JUDGE.**

**Present: Mr. Suryakant Gautam, Advocate,
for the petitioner.**

KRISHNA MURARI, C.J. (ORAL)

The sole basis on which this petition has been filed is that the financial bid offered by the petitioner was not opened and the contract has been finalised in favour of respondent No. 2, who admittedly is not the lowest bidder.

From the pleadings we find that technical bid of the petitioner was opened, but he has failed to disclose as to whether the same was accepted or not. In case the technical bid of the petitioner was not accepted and was rejected, there was hardly any reason for the respondents to have opened the price/financial bid.

Learned counsel for the petitioner states that result of the technical bid offered by him was not communicated to the petitioner. If that is the position, it is always open for the petitioner to approach the

authorities asking for the result of the technical bids. Still if the respondents do not communicate the result, the petitioner has remedy to approach them under the Right to Information Act. The writ petition based on the presumption is not liable to be entertained and the same is rejected. However, it shall be open to the petitioner to avail the remedy available to it under the Right to Information Act, to seek information in respect of the technical bid, in case so advised.

(KRISHNA MURARI)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

July 02, 2018

Pkapoor

Whether Speaking/Reasoned: YES / NO
Whether Reportable: YES / NO