

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

CWP-21618-2017 (O&M)

Date of decision:- 10.01.2018

Naveen Jain

...Petitioner

Versus

The Postgraduate Institute of Medical Education and
Research (PGIMER), Sector 12, Chandigarh through its
Director and others

...Respondents

CORAM: HON'BLE MR. JUSTICE S.J. VAZIFDAR, CHIEF JUSTICE
HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present:- Mr. Rahul Sharma-I, Advocate,
for the petitioner.

Mr. Rajesh Garg, Senior Advocate,
with Ms. Nimrata Shergill, Advocate,
for respondents No. 1 to 3.

Mr. Arpan Sabharwal, Advocate,
for respondent No. 4.

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S.J. VAZIFDAR, C.J. (ORAL)

The petitioner does not wish to challenge award of the tender in favour of the private respondent No. 4. The petitioner has, however, challenged a communication dated 14.09.2017 issued by the official respondents apprehending that the same constitutes an order of blacklisting.

2. The letter does not blacklist the petitioner. It merely states that if the petitioner fails to occupy the cafeteria within the stipulated time, he would be barred for two years and his earnest money would be forfeited in terms of clause 10 of the tender document. The letter is only an

intimation of what the official respondents may do in the event of the petitioner not fulfilling his obligations.

3. In these circumstances, the petition is disposed of with liberty to the petitioner to challenge any proceedings for blacklisting, if adopted by the respondents.

4. The petitioner has also challenged the forfeiture of the earnest money. If a decision is taken for forfeiture, the petitioner is at liberty to challenge the same as well.

(S.J. VAZIFDAR)
CHIEF JUSTICE

(AVNEESH JHINGAN)
JUDGE

10.01.2018

Amodh

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No