

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

Civil Writ Petition No. 22033 of 2018 (O&M)

Date of Decision: 18.12.2018

Ramsharan Chechi

.....Petitioner

versus

Food Corporation of India and others

.....Respondents

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

Present : Mr. Alok Mittal, Advocate, for the petitioner.
 Mr. J.S.Puri, Advocate, for respondents No.1 and 2.
 Mr. HPS Bhinder, Advocate, for respondent No.3.

KRISHNA MURARI, C.J.(oral)

This petition under Article 226 of the Constitution of India has been filed challenging an e-mail dated 13.08.2018 informing the petitioner that his technical bid has been rejected being non-compliant and also an e-mail dated 27.08.2018 rejecting the representation.

2. Undisputedly, the tender was settled with respondent No.3 the period whereof is two years. During the pendency of the petition, the parties negotiated and have entered into a compromise and a joint affidavit setting out the terms and conditions of the compromise filed today is taken on record. Under the terms of the compromise, the petitioner and respondent No.3 have agreed to undertake the contract work for a period of one year each. Since respondent No.3 has already started undertaking the contract work, therefore, at the first instance, he shall carry out with the work at the rate quoted for the period of one year starting from the date of allocation of contract work and after the expiry of aforesaid period of one year the petitioner would undertake the contract work for the remaining period of one year at the rate quoted by him in his financial bid.

3. On instructions from Shri Mohinder Pal, AGM (Contract), FCI, Shri J.S.Puri, learned counsel appearing for the Food Corporation of India has no objection to the aforesaid settlement between the parties. He, however, states that he may be permitted to open the financial bid of the petitioner as the same was not opened on account of his technical bid having been found non-compliant. It is left open to the respondent-corporation to open the financial bid submitted by the petitioner.
4. In so far as the experience certificate is concerned, we hereby direct that both the petitioner as well as respondent No.3 shall be issued experience certificates as per the MTF.
5. With the aforesaid observations, the writ petition stands disposed of in terms of the compromise between the parties.

(KRISHNA MURARI)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

18.12.2018
ravinder

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