

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

**CWP-25959-2017 (O&M)
Date of Decision:09.05.2018**

Mehul Bansal

... Petitioner

Versus

State of Punjab & others

... Respondents

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

HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. B.S. Jaswal, Advocate for the petitioner.

Mr. Shireesh Gupta, Sr. DAG, Punjab.

Mr. H.S. Sethi, Advocate for respondents No.2 and 3.

....

AJAY KUMAR MITTAL, ACJ.

1. Petitioner has preferred the instant writ petition under Articles 226/227 of the Constitution of India for quashing of order dated 23.10.2017 (Annexure P-8) passed by the District Manager, PUNSUP, SBS Nagar whereby the claim of the petitioner has been rejected.

2. Additionally, challenge has also been made to Clause 2 (vi) of the allotment of tender dated 03.12.2014, which reads as under:

“(vi) There will be no right to get the tender or contract in the name of any family member means blood relations out of the family of the blacklisted contractors as per above Clause (i), (ii), (iii), (iv) and (v).”

3. At the outset, learned counsel representing respondents No.2 and 3 submitted that contract period came to an end on 31.03.2018. Accordingly, the writ petition has been rendered infructuous.

4. Learned counsel for the petitioner did not dispute that the contract has expired on 31.03.2018. However, it was argued that Clause 2(vi) of the revised policy as referred to above has been misinterpreted and is unsustainable.

5. After hearing counsel for the parties, without expressing any opinion on merits and in view of the fact that the period of tender has since expired on 31.03.2018, we dispose of the instant writ petition as infructuous. It is clarified that opinion on the validity of Clause 2(vi) as noted above is left open and would be adjudicated as and when need arises.

(AJAY KUMAR MITTAL)
ACTING CHIEF JUSTICE

(TEJINDER SINGH DHINDSA)
JUDGE

09.05.2018

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |