

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

CWP-286-2018 (O&M)

Date of decision:- 11.01.2018

M/s Marz and DKC Projects

...Petitioner(s)

Versus

Union of India and another

...Respondents

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

Present:- Mr. Arshdeep Bhullar, Advocate,
for the petitioner(s).

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

The petitioners in effect seek a writ of mandamus directing the respondents to enter into a contract with them for the work of modification of existing signalling system.

2. The petitioners themselves state that they were the only eligible bidders. The other bidder was not qualified. It is not possible to issue a writ of mandamus directing the respondents to enter into a contract with the petitioners merely because they were the only eligible bidders or even if they were the lowest among several bidders. Whether or not to accept the bid is for the party inviting tenders to decide. The reliance upon the negotiations that ensued after the bids were submitted does not carry the petitioners' case further. These were mere negotiations. In fact, the petitioners' own case is that the respondents were not clear regarding the offers made during the course of negotiations.

3. The petitioners lastly requested that the respondents be directed to consider their representation. It is always open

to the respondents to consider any representation. It is for the respondents to decide whether or not to accept the same.

4. The writ petition is accordingly disposed of.

(S.J. VAZIFDAR)
CHIEF JUSTICE

(AVNEESH JHINGAN)
JUDGE

11.01.2018
Amodh

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