

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

**CWP No.30321 of 2018
Date of decision: 30.11.2018**

Amit Gupta

... Petitioner

Versus

Union of India and another

... Respondents

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

Present: Mr. Kanwaljit Singh, Senior Advocate, with
Mr. Abhishek Bajaj, Advocate for the petitioner.

KRISHNA MURARI, C.J. (Oral)

Notice of motion.

Dr. Parveen Hans, Advocate, present in Court, accepts notice on behalf of the respondents. Copies furnished.

In the nature of the order we propose to pass, no formal written statements/counter affidavits are indeed necessary, at this stage. Thus, the petition is being disposed of finally with the consent of the learned counsel for the parties.

The petitioner has prayed for a writ in the nature of certiorari to set aside the order/communication dated 09.10.2018 (Annexure P7), vide which the tender process as regards Hiring of Godowns for 2018 has since been scrapped. The limited grievance that the petitioner has is: that though he was found to be technically compliant and was even found to be the lowest tenderer (L1), the authorities without assigning any reason vide

impugned order/communication dated 9th October, 2018 has cancelled the tender.

In response, learned counsel for the respondents concedes that all what impugned communication/letter contains to cancel the tender process: “*...tender floated online through e-tender system, on the website of Central Public Procurement Portal (CPPP) as well as on dghs.gov.in is hereby cancelled in toto due to administrative and technical reasons*”. Thus, faced with this, he submits that the respondent-authorities shall pass orders afresh assigning reasons as to what actually led to the cancellation of the tender.

The petition is accordingly disposed of in terms of the statement made by the learned counsel for the respondents. This Court is sanguine that the authorities shall pass orders, as indicated above, in accordance with law, assigning reasons in support thereof and after affording an opportunity of hearing to the petitioner, within a week from today.

(Krishna Murari)
Chief Justice

(Arun Palli)
Judge

30.11.2018
Rajan

Whether speaking / reasoned:
Whether Reportable:

YES
NO