

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

228

CWP-8610 OF 2017

Date of Decision: 12.03.2018

PARAMJIT SINGH SACHDEVA

....Petitioner.

Versus

STATE OF PUNJAB AND ORS.

...Respondents.

**CORAM:- HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL**

Present: Mr. Munish Gupta, Advocate
for the petitioner.

Mr. Shireesh Gupta, Senior DAG, Punjab.

Mr. Pardeep Bajaj, Advocate for
respondents No.3 and 4.

ANUPINDER SINGH GREWAL, J.

The petitioner through the instant petition, which has been filed as a public interest litigation, has sought issuance of writ of certiorari for quashing the notice for auction of canteen site dated 07.04.2017 (Annexure P-3) as well as the e-tendering notice dated 22.04.2017 (Annexure P-7) at Anaj Mandi, Hoshiarpur.

2. It is stated that the canteen site has been auctioned by the Secretary, Market Committee-respondent No.4 without providing basic facilities. The place, where the canteen is to be set up, comprises of only a temporary shed and there is no space for sitting. There is also no facility of washroom and no water is available.

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3. Learned counsel for the petitioner contends that there are no proper facilities at the place, where the canteen is to operate, due to which, great hardship is being faced by those, who have to frequent the Anaj Mandi. Learned counsel also states that the basic hygienic standard is also not being maintained at the canteen.

4. In the reply filed by respondents No.3 and 4, it is stated that as there is heavy rush in the Anaj Mandi during the procurement season, it was felt necessary to provide a canteen to enable the farmers to have food or light refreshments as, at times, they have to spend several days before the crop is lifted. The canteen was set up in two rooms, which were lying vacant at the Anaj Mandi, for which regular supply of electricity and water is ensured.

5. Learned counsel for respondents No.3 and 4 has contended that the contract for the canteen is till 31.03.2018. Thereafter, a fresh tender notice shall be issued and efforts shall be made to ensure that proper infrastructure is in place for the canteen and hygienic standards are maintained.

6. We have heard the learned counsel for the parties.

7. The period, for which the contract for the canteen had been awarded, is drawing to a close. The new contract is

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proposed to be awarded w.e.f. 01.04.2018. Even otherwise, there is no material on record for us to hold that there was any irregularity in the contract for the canteen, which is valid till 31.03.2018. The respondents are intending to hold an auction for canteen w.e.f. 01.04.2018.

8. Therefore, we direct respondents No.3 and 4 to ensure that basic infrastructure is provided before initiating the fresh tender process so that the farmers and others, who have to frequent the Anaj Mandi, do not face any difficulty. In order to ensure that basic hygienic standards are maintained in the canteen, we direct that respondent No.2 shall himself inspect the canteen after its operation, pursuant to the fresh tender process and ensure that proper hygienic standards are maintained. Later he shall direct periodic inspection of the same by other officers of the District Administration.

9. The petition stands disposed of accordingly.

(AJAY KUMAR MITTAL)
JUDGE

(ANUPINDER SINGH GREWAL)
JUDGE

12.03.2018

SwarnjitS

Whether speaking/reasoned : YES/NO

Whether reportable : YES/NO