

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

CWP No.4409 of 2019
Date of decision: 20.02.2019

Pekhubela Truck Tanker Transport Co-operative Society Limited
... Petitioner
Versus

Union of India and others

... Respondents

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

Present: Mr. Anand Chhibbar, Senior Advocate, with
Mr. Shikhar Sarin, Advocate; and
Ms. Shreya Bhakoo, Advocate, for the petitioner.

ARUN PALLI, J. (Oral)

Notice of motion.

Ms. Shweta Nahate, Advocate and Mr. Ashish Kapoor,
Advocate, present in court, accept notice on behalf of respondent No.1 and
respondents No.2 & 3, respectively. Copies furnished.

In the nature of order, we propose to pass in the matter, no
formal written statements/counter-affidavits on behalf of the respondents are
indeed necessary at this stage. Thus, with the consent of the parties, the
petition is being finally disposed of.

The petitioner is a Society registered under the Himachal
Pradesh Co-operative Societies Act, 1968. Respondents No.2 & 3 had issued

an e- tender enquiry for Road Transportation of Bulk Petroleum Products by Bottom Loading Tank Trucks under two bid system. The petitioner submitted the tender documents well within the stipulated period and time i.e. 15.10.2018. However, respondent No.3, vide letter dated 17.01.2019, required the petitioner to furnish certain additional documents and submit its response to the queries raised, by 21.01.2019. It is urged since the time granted was too short to collect the requisite documents and answer the queries of the respondent-Corporation, the petitioner could not adhere to the time line and eventually tried to upload the relevant documents and required information on 21.01.2019, but owing to connectivity and network related issues remained unsuccessful. And, thus, the petitioner submitted a representation dated 21.01.2019 (Annexure P6) to the respondent explaining the difficulty it was faced with and sought permission from the Corporation to submit the required information. It is submitted that even though a considerable time has elapsed, but the said representation continues to await a decision thereupon.

In response, Mr. Ashish Kapoor, learned counsel appearing for the respondent-Corporation, submits that let this petition be disposed of at this stage only with a direction to the respondent-Corporation to consider and deal with the representation dated 21.01.2019 (Annexure P6) submitted by the petitioner and pass appropriate orders within a specified time.

In the wake of the above, and without commenting upon the merits of the case, we dispose of this petition only with a direction to the Corporation to consider the representation submitted by the petitioner that is alleged to be pending consideration, and pass appropriate orders thereupon

in accordance with law within a week from today. Needless to assert that the respondent-authorities shall pass a comprehensive order assigning reasons in support thereof.

(Krishna Murari)
Chief Justice

(Arun Palli)
Judge

20.02.2019
Rajan

Whether speaking / reasoned:	YES
Whether Reportable:	NO