

CWP No. 4803 of 2019 (O&M)
Date of Decision:13.05.2019

Amit Kadyan and others

...Petitioners

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAKESH KUMAR JAIN
HON'BLE MR. JUSTICE HARNARESH SINGH GILLPresent: Mr. Amit Jhanji, Advocate
for the petitioners.

Mr. Ankur Mittal, Additional, A.G. Haryana.

RAKESH KUMAR JAIN, J. (ORAL)

This petition is filed for seeking issuance of a writ in the nature of certiorari for quashing the impugned notice inviting tender dated 07.02.2019 (Annexure P-14) issued by the respondents for taking 190 buses on lease.

Although, vide order dated 22.02.2019, this writ petition was ordered to be heard along with CWP No.1947 of 2018 in which mandamus is being sought by the petitioners therein for the purpose of seeking a direction to the respondents therein for registration of buses and implementation of the agreements but in this writ petition the respondents have filed their reply on 27.02.2019 and also an additional affidavit of Ashwani Kumar Dogra, Deputy Transport Controller by which the Court has informed that the financial bid pertaining to 190 buses has already been opened on 07.03.2019. It has also come on record that in the said

financial bid the average rate quoted by the bidders is ₹27/- per Km whereas in the earlier bid pertaining to 510 buses, the financial bid was opened on 05.07.2018 and the average rate quoted by the bidders was from ₹31.01 to 37.30 paise including GST. It has also come on record that because of variation in the rates offered in regard to 510 buses and 190 buses, the matter has been referred by the Government to the State Vigilance Bureau for enquiry.

Learned counsel appearing on behalf of the petitioners has submitted that the anxiety of the petitioners at the time when the writ petition was filed was for seeking a restraint orders against the respondents for not opening the financial bid but since the financial bid has already been opened therefore, the present writ petition has become infructuous.

Dismissed as infructuous.

(RAKESH KUMAR JAIN)
JUDGE

(HARNARESH SINGH GILL)
JUDGE

May 13, 2019
Jyoti-IV

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No