

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Civil Writ Petition No. 10874 of 2019 (O&M)

Date of Decision: 01.05.2019

Bharat Bhushan

.....Petitioner

versus

State of Punjab and others

.....Respondents

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

Present : Mr. Anurag Chopra, Advocate, for the petitioner.
Mr. Shireesh Gupta, Sr. Deputy Advocate General, Punjab
for respondents No.1 to 3.

KRISHNA MURARI, C.J.(oral)

The petitioner has approached this Court with the allegation that though he received an e-mail rejecting his technical bid on 22.03.2019 stating as under-

*“You are informed that your bid for the above tender has been **rejected** during **Technical evaluation** by the duly constituted committee for the reason **As per proceeding attached**.*

In case of any clarifications or feed back, you may contact Tender Inviting Authority (TIA).”

but neither the proceedings were attached with the e-mail nor he has ever been supplied the reasons for rejecting of his technical bid. He further submits that under the guidelines there is a remedy available to the

participants to challenge the rejection of the technical bid by way of an appeal but he could not avail of the remedy for want of reasons.

In reply Mr. Shireesh Gupta, Senior Deputy Advocate General, Punjab on the basis of instructions states that it is a uniform practice which is known to the tenderers that reasons for rejection of the technical bids are uploaded on the website and it is always open to the participants to know the same and download it from the website.

Though learned counsel for the petitioner vehemently states that he never opened the website and was not aware of the reasons, this assertion is not palatable because any prudent man if he is a regular participant would know that this is a practice which is usually followed and the reasons for rejection of the technical bid are uploaded on the website. Still now Mr. Gupta, Senior Deputy Advocate General, Punjab assures the Court that during the course of the day all the reasons would be supplied to the petitioner. Thus the petitioner is left no cause of action further for continuance of this petition on the board and the same accordingly dismissed as having rendered infructuous.

(KRISHNA MURARI)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

01.05.2019
ravinder

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