

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

**CWP No.13359 of 2018
Date of Decision :19.03.2019**

Ramsharan Chechi

.....Petitioner

Versus

Food Corporation of India

..... Respondents

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

Present : Mr. Alok Mittal, Advocate for the petitioner.
Mr. J.S.Puri, Advocate for the respondent.

KRISHNA MURARI, CHIEF JUSTICE (Oral):

By means of this writ petition filed under Article 226 of the Constitution of India challenge has been made to certain conditions of the tender notice. Learned counsel for the petitioner submits that since bid of the petitioner was rejected, which has not been challenged, he is no more interested in pursuing the challenge to the conditions of the tender notice. He further submits that the earnest money, which was deposited, is liable to be refunded by the respondent-Corporation but for no rhyme or reason they are withholding the amount.

Mr. J.S. Puri, learned counsel appearing for the respondent-Corporation states that in case there is no legal impediment on an application being made, the amount of the earnest money deposited by the petitioner would be refunded within a week.

In the facts and circumstances, while permitting the petitioner to withdraw this writ petition, leaving the issues raised herein open for adjudication in appropriate proceedings, we provide that for refund of the earnest money let an application be made by the petitioner before the respondent-Corporation within a week from today, with a direction to respondent to take an appropriate decision in accordance with law in respect of the refund of the amount. Needless to say, unless there is any legal impediment the amount shall be refunded.

(KRISHNA MURARI)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

19.03.2019

Manoj Bhutani

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