

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

CWP-23188-2019 (O&M)

Date of decision:- 03.09.2019

Jagwinder Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

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

Present:- Mr. Jastej Singh, Advocate,
for the petitioner.

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KRISHNA MURARI, C.J. (ORAL)

Petitioner has approached this Court challenging the rejection of his technical bid as also the order dated 06.06.2019 (Annexure P-4) passed by Secretary, Food, Civil Supplies and Consumer Affairs, Punjab exercising powers of the second appellate authority.

2. The technical bid of the petitioner was rejected on 11.04.2019 against which the first appeal was preferred which was allowed by respondent No. 2 - Director, Food, Civil Supplies and Consumer Affairs Department, Punjab on 21.05.2019. The matter was taken before the second appellate authority - respondent No. 1 who reversed the order of the first appellate authority and upheld the rejection of the technical bid of the petitioner on 06.06.2019. Aggrieved by the same, the present writ petition has been preferred.

3. Ms. Monica Chhibbar Sharma, learned Senior Deputy Advocate General, Punjab, on the basis of instructions from Mr. Gurnam Singh, Inspector, Food and Supply, Department of Food and Supply, Punjab, states that the financial bid was

opened on 20.04.2019 and finally concluded contract has been entered into with respondent No. 4 on 22.04.2019. It is also stated that almost 50 per cent of the contract work has been completed by respondent No. 4.

4. Time is essence of the contract and after about three months, the petitioner has approached this Court challenging the order dated 06.06.2019. In these circumstances, since the dispute is in respect of the contractual matter, in case, the petitioner feels that he has been wronged, in our considered opinion, the remedy available is to file a suit for damages, wherein he can establish the wrong committed against him.

5. In view of the aforesaid facts and circumstances, while declining to interfere in the matter, we dismiss the writ petition with liberty to the petitioner to avail the remedy of filing suit, in case, he is so advised.

(KRISHNA MURARI)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

03.09.2019
Amodh

whether speaking/reasoned	Yes/No
whether reportable	Yes/No