

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

CWP No. 32564 of 2019 (O&M)

Date of decision: 8.11.2019

Jagroop Singh

.. Petitioner

vs

State of Punjab and others

.. Respondents

**Coram: Hon'ble Mr. Justice Ravi Shanker Jha, Chief Justice.
Hon'ble Mr. Justice Rajiv Sharma**

Present Mr. Shiv Kumar, Advocate, for the petitioner.

Ravi Shanker Jha, Chief Justice

The Department of Food, Civil Supplies and Consumer Affairs, Punjab, had invited online tenders for labour work of food grains for *Rabi* and *kharif* seasons under the Punjab Food Grains Labour and Cartage Policy 2019-20 for the period from 1.4.2019 to 31.3.2020 on behalf of all the State procurement agencies.

The petitioner also participated in the tender process. However, his technical bid was rejected. The petitioner filed first appeal before the Director, Department of Food, Civil Supplies and Consumer Affairs, Punjab (for short – the First Appellate Authority), who dismissed his appeal vide order dated 31.5.2019. The principal stand taken by the petitioner before the First Appellate Authority was that the reasons for the rejection of his technical bid were not uploaded. The other ground taken by the petitioner for setting aside the order dated 27.4.2019 was that he had uploaded the undertaking from the Jharkhand Bihar Logistic regarding providing number

of trucks. However, it was found that the petitioner had violated the provisions of Clause 5(F) note-V of the policy with respect to uploading of fake/ non-existent vehicles.

The petitioner filed a second appeal against the order dated 31.5.2019 before the Principal Secretary, Food, Civil Supplies and Consumer Affairs, Punjab (for short- the Second Appellate Authority), who also dismissed the same after affirming the findings given by the First Appellate Authority and taking into consideration that the details of the trucks given did not meet the requirement. In few cases, there was typographical error with regard to particulars i.e. details of truck, etc. The clerical mistakes were rectified before opening of the technical bid. It is in these circumstances that the Second Appellate Authority has affirmed the findings given by the First Appellate Authority.

Accordingly, finding no merit in the present petition, the same is hereby dismissed.

(Ravi Shanker Jha)
Chief Justice

8.11.2019
vs

(Rajiv Sharma)
Judge

Whether speaking/ reasoned

Yes/No

Whether Reportable

Yes/No