

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

Civil Writ Petition No. 35721 of 2019 (O&M)

Date of Decision: 09.12.2019

Dewan Chand

.....Petitioner

versus

State of Punjab and others

.....Respondents

**CORAM: HON'BLE MR.JUSTICE RAVI SHANKER JHA, CHIEF JUSTICE
HON'BLE MR. JUSTICE RAJIV SHARMA, JUDGE**

Present : Mr. Parminder Singh, Advocate, for the petitioner.
Ms. Lavanya Paul, Assistant Advocate General, Punjab.

RAVI SHANKER JHA, CHIEF JUSTICE (oral)

This petition has been filed by the petitioner being aggrieved by the order dated 01.05.2019 passed by the respondents; order dated 06.09.2019 passed by respondent No.2 in first appeal; order dated 15.10.2019 passed by respondent No.1 in second appeal and order dated 25.11.2019 passed by respondent No.2, whereby the bid of the petitioner who had applied for labour and cartage work of Machhiwara cluster, District Ludhiana, had been rejected.

Having heard learned counsel for the petitioner, it is observed that the First Appellate Authority and the Second Appellate Authority have found that the petitioner was not eligible for the award of contract on account of the fact that the transport company which had given an undertaking in terms of clause 5(F) Note-III of the Punjab Labour and Cartage Policy, 2019-20, had withdrawn his undertaking and thereby making the petitioner ineligible for award of contract. The aforesaid fact of withdrawal of undertaking is undisputed.

In the circumstances we do not find any illegality or perversity in the impugned orders passed by the Appellate Authorities warranting any interference. The writ petition filed by the petitioners is accordingly dismissed.

It is, however, observed on the statement being made by Ms. Lavanya Paul, learned Assistant Advocate General appearing for the respondent-State of Punjab that the respondents’ authorities shall take all necessary steps for re-evaluating the tenders and for initiating disciplinary proceedings against the persons responsible for not communicating reasons to the persons who were held to be ineligible in the tender proceedings as directed vide order dated 06.09.2019 by the Director, Food Civil Supplies & Consumer Affairs, Punjab.

(RAVI SHANKER JHA)
CHIEF JUSTICE

(RAJIV SHARMA)
JUDGE

09.12.2019
ravinder

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