

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No. 458 of 2020

Date of Decision: 28.1.2020

MUNICIPAL COUNCIL THANESAR

...Petitioner

Vs.

BRAHMA NAND COOP. L & C SOCIETY LTD MIRZAPUR & ANR

...Respondents

CORAM:- HON'BLE MR.JUSTICE RAJIV NARAIN RAINA

Present: Mr. Kuldeep Tiwari, Advocate
for the petitioner.

Mr. Chandershekhar, Advocate
for the respondents.

RAJIV NARAIN RAINA, J. (Oral)

1. On 22.1.2020 this Court passed the following order:

*“Inter alia argues that two the plaintiffs-
societies were not applicants for the sanitation
bid in Thanesar and, therefore, had no locus
standi to challenge the bidding process. Mr.
Tiwari further contends that the contract could
be awarded only to such societies whose
members belong to the Scheduled Castes and no
society with exclusive membership among the
Scheduled Castes made an online bid and,
therefore, the Courts below have erred in
injuncting temporarily and staying the opening
of the bid which had been fixed for 22.11.2019.*

Notice of motion returnable for 28.01.2020.

Process dasti only.

To be taken up in the urgent list to attempt final disposal.

Meanwhile, the Municipal Council, Thanesar is permitted to open the technical bid and keep the remaining process dependant on the outcome of this petition.

In addition to usual mode, service of respondents/plaintiffs before trial Court through their counsel is allowed by Order 3 Rule 3(1) of the Punjab and Haryana High Court Rules and Orders .”

2. Mr. Chandershekhar, Advocate appears on behalf of the respondent and has filed his Vakalatnama. The same is taken on record.

3. Learned counsel for the petitioner states that as per the previous order, claim is over with the opening of technical bid. None of the applicants have qualified which renders the process infructuous and has to be re-initiated.

4. With this input, on which the parties are *ad idem*, the petition is dismissed as infructuous.

(RAJIV NARAIN RAINA)
JUDGE

28.1.2020

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