

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

ANURADHA
20.07.13 15:59
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CWP-9718-2020

Date of Decision :13.7.2020

M/s. Suresh Kumar & Co.

..... Petitioner

Versus

The State of Haryana and others

..... Respondents

**CORAM : HON'BLE MR.JUSTICE AJAY TEWARI
: HON'BLE MR.JUSTICE JASGURPREET SINGH PURI

Present : Mr. Charanji Lal, Advocate
for the petitioner.

AJAY TEWARI, J. (Oral)

1. By this petition the petitioner has challenged the condition No.11 (vii) of the tender notice dated 2.3.2020 which is to the following effect :-

“(vii) Audited/balance sheet/profit and loss account for last three financial years and minimum turnover Rs.30.00 lacs per year duly certified by C.A.”

2. The precise argument of the learned counsel for the petitioner is that the petitioner had a sufficient turn over in the other years but for one year the turn over was less than Rs.30 lakhs. His argument is that if the respondent had taken the average turn over for three years it would have been more than the required amount per year. By insisting that the turn over should be Rs.30 lakhs per year, the respondent have imposed an unreasonable restriction on the fundamental right of the petitioner to conduct business.

3. In our opinion, the argument has to be rejected. There can be no fault with prescription of minimum turn over qualification for taking

part in tender.

- 4. Consequently, the petition is dismissed.
- 5. Since the main case has been dismissed, the pending application if any also stands disposed of.

(AJAY TEWARI)
JUDGE

(JASGURPREET SINGH PURI)
JUDGE

13.7.2020
anuradha

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