

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No. 10557 of 2020 (O&M)
Date of decision:- 24.07.2020

Harnam Dass and companyPetitioner

Versus

State of Punjab and another ...Respondents

**CORAM: HON'BLE MR. JUSTICE RAVI SHANKER JHA, CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI, JUDGE.**

Present:- Mr. Tarun Kumar, Advocate and
Mr. Nitin Kumar, Advocate, for the petitioner.

Ms. Monica Chibbar Sharma, Sr. Deputy Advocate General,
Punjab.

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RAVI SHANKER JHA, C.J. (ORAL)

With the consent of learned counsel for both the parties, the matter is being taken up and heard via video conferencing (Webex App software).

The petitioner has assailed the clarifications dated 17.07.2020 and 21.07.2020 issued by the Director, Food Civil Supplies and Consumer Affairs, Punjab, whereby the issuance of experience certificate as required for the transportation and labour cartridge of food grains contract in the State of Punjab has been restricted to the experience certificate issued by the agencies in the State of Punjab alone.

Learned counsel for the petitioner submits that he has been doing business of transportation of food grains for the Food Corporation of India in the State of Haryana and as the requisite experience certificate from the Food Corporation of India is issued by the Haryana office but the petitioner is being ousted from the tender process on the ground that he is not possessing such experience certificate from the Food Corporation of India, Punjab office, though Food Corporation of India is a PAN Government of India organization indulging in storage and transportation of food grains.

It is observed that the issue raised by the petitioner is yet to be considered and decided by the respondent-authorities. Learned Senior Deputy Advocate General appearing for the State of Punjab fairly submits that the petition filed by the petitioner shall be treated as a representation and the issues raised therein would be considered and decided by the respondent-authorities within a period of two days.

In view of the statement of learned Senior Deputy Advocate General, Punjab, without entering into the merits of the case or expressing any opinion on the merits of the same, the petition is disposed of directing the respondent-authorities to treat the petition filed by the petitioner as a representation and decide the same within two days preferably before finalizing the tenders relating to Ludhiana-1, Ludhiana-2 and Sialkot (Punjab). The authorities while doing so may hear the petitioner, if so advised or required.

(RAVI SHANKER JHA)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

24.07.2020

ravinder

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