

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CWP No. 11499 of 2020 (O&M)  
Date of decision:- 10.08.2020

Kulbir Singh and Co. ....Petitioner  
Versus

Food Corporation of India and others ...Respondents

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

**Present:-** Mr. Vikas Bahl, Sr. Advocate with  
Mr. Bhupinder Ghai, Advocate and  
Mr. Nikhil Sabharwal, Advocate, for the petitioner.  
Mr. Chetan Mittal, Sr. Advocate with  
Mr. Manav Bajaj, Advocate and  
Mr. Sumeet Goyal, Advocate, for respondent-FCI.  
Mr. Gaurav Chopra, Advocate, for respondent No.3  
Mr. Anurag Chopra, Advocate, for respondent No.4.

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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.

This petition has been filed against the rejection of the petitioner's technical bid by the Food Corporation of India. It is pointed out that as per clause XVIII(c) in the tender documents, the petitioner has to approach the authorities by raising a dispute against the rejection of his technical bid.

Learned senior counsel appearing for the Food Corporation of India submits that in case the petitioner does so within three days along with all the necessary documents, the General Manager, Food Corporation of India shall consider and decide the dispute within a period of 10 days thereafter. He further submits that in case the dispute is raised, the same shall be decided by the General Manager without being influenced by the stand taken by them before this Court after giving an opportunity of hearing, either physical or through video conferencing, to the petitioner. It goes without saying that in case a decision is taken by the authorities in favour of the petitioner, all necessary consequences and benefits accruing therefrom would accrue to the petitioner.

With the aforesaid observation, the petition filed by the petitioner is disposed of permitting the petitioner to move the Corporation or raise a fresh dispute before the authorities within three days along with all the documents which shall thereafter be considered and decided by the General Manager, Food Corporation of India, within a period of 10 days thereof in accordance with the statement made by the learned Senior Counsel appearing for the Food Corporation of India.

(RAVI SHANKER JHA)  
CHIEF JUSTICE

(ARUN PALLI)  
JUDGE

10.08.2020  
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| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |