

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

CWP No. 12868 of 2020
Date of Decision: **14.10.2020**

Ali Contractor and another

.....Petitioners

Versus

The Chairman, Market Committee, Nabha and others

.....Respondents

CORAM:HON'BLE MR. JUSTICE S.N. SATYANARAYANA

CORAM:HON'BLE MRS. JUSTICE ARCHANA PURI

Present: Mr. Amit Kumar Saini, Advocate for the petitioners.

Mr. Parambir Singh, Advocate for the respondents.

S.N. SATYANARAYANA, J.(Oral)

The grievance of the petitioner herein is that the 3rd respondent has not granted proportionate reduction in the accepted bid amount of tender in accordance with condition No. 29 of the contract, copy of which is furnished as Annexure P-2.

The clause 29 of the agreement reads as under:

'Any grievance with regard to the agreement by any party shall be through the District Mandi Officer to the Grievance Disposal Committee. For disposal of the grievance, one committee shall be constituted with District Mandi Officer, Concerned Executive Engineer (Civil) or his nominee not below SDO, concerned SDM or his nominee not below Nail Tehsildar. The Grievance Disposal Committee shall hear the grievance within 1 week and thereafter the concerned parties will be given the decision. For the resolution of the dispute received by the District Mandi Officer, the concerned parties shall be called at place, date and fixed time in written.'

He would also rely upon an order passed by the co-

ordinate bench of this Court vide Annexure (P-9) in CWP No. 8948 of 2020(O&M) titled as *M/s Kanda Traders, Main Kachha Dosanjh Road, Moga and anr Vs. The Chairman, Market Committee, Moga District Moga, Punjab and ors*, disposed of vide order dated 30.06.2020

In this proceedings, learned counsel for 3rd respondent would submit that the amount required to be paid in terms of the agreement was not paid till yesterday though the representation was made on 29.06.2020 to consider his request under Clause 29 of the agreement vide Annexure (P-2).

Learned counsel for 3rd respondent would also submit that in the light of the amount being paid yesterday the representation which is filed by the petitioner dated 29.06.2020 (P-13) will be taken up for consideration by the Committee and appropriate orders would be passed within two weeks from today. His submission is placed on record.

In the light of the aforesaid submission of the parties the present writ petition is disposed of directing the 3rd respondent to dispose of the representation of the petitioner within two weeks from today.

[S.N. SATYANARAYANA]
JUDGE

[ARCHANA PURI]
JUDGE

October 14, 2020
rashmi

Whether speaking/reasoned
Whether reportable?

yes/no
yes/no