

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

120

CWP No. 18012 of 2020**Date of Decision: 29th October, 2020**

Rohtash Kumar & Company

....Petitioner

VERSUS

State of Punjab and others

....Respondents

**CORAM: JUSTICE S. MURALIDHAR
JUSTICE AVNEESH JHINGAN**

Present: Mr. Shiv Kumar, Advocate for the Petitioner.

Mr. Vikas Mohan Gupta, Additional Advocate General, Punjab.

Mr. Jastej Singh, Advocate for the private Respondents.

Dr. S. Muralidhar, J.

1. Against the grant of the contract for cartage and labour in favour of the present Petitioner, Respondent No.4 filed an appeal before the Respondent No. 2/ Director, Food, Civil Supplies and Consumer Affairs, Government of Punjab and that appeal was allowed by an order dated 23rd October, 2020.
2. Against that order, the Petitioner filed a second appeal under Clause 16 of the Punjab Food Grains Labour and Cartage Policy, 2020-21, including an application for stay. That appeal was filed on 26th October, 2020 and is pending consideration.
3. In the meanwhile, a fresh tender has been invited and it is expected to be opened today i.e. 29th October, 2020. Apprehending that the Petitioner's aforesaid appeal will be rendered infructuous, it has approached this Court seeking a stay of the order dated 23rd October, 2020.
4. Appearing on advance notice, Mr. Vikas Mohan Gupta, learned Counsel for the

Respondents states that the appeal filed by the present Petitioner would be

decided within a period of 15 days from today and that till such time the tender will not be finalized. He further states that till such time that the appeal is not decided, the labour and cartage activity will be continued to be undertaken by the Petitioner itself.

5. Binding the Respondents to the above statements, the writ petition is disposed of.

6. It is made clear that this Court has not expressed any opinion on the merits of the issue and it will be for the concerned authority to decide the pending appeal in accordance with law uninfluenced by the observations of this order.

(S. MURALIDHAR)
JUDGE

(AVNEESH JHINGAN)
JUDGE

29th October, 2020

Satyawan

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