

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-34695-2019

Date of decision : 06.02.2020

Shree Balaji Food Industries Pvt.Ltd.

... Petitioner

Versus

The Haryana State Cooperative Supply and Marketing Federation Limited
and others.

... Respondents

***CORAM: HON'BLE MR. JUSTICE RAJIV SHARMA
HON'BLE MR.JUSTICE HARINDER SINGH SIDHU***

Present: Dr.Anmol Rattan Sidhu, Senior Advocate with
Mr.Tushar Sharma, Advocate,
Dr.Deepak Jindal, Advocate &
Mr. Raghav Gulati, Advocate
for the petitioner.

Mr.Deepak Balyan, Advocate
for respondent no.1.

Ms.Shubhra Singh, Addl.A.G. Haryana.

Ms.Supriya Garg, Advocate
for respondents no.3,4,5,7,9,10, 13 & 14.

RAJIV SHARMA, J.(ORAL)

Respondent no.1-HAFED has issued tender notice for empanelment of private atta chakki mills / flour mills for production of fortified whole wheat chakki atta for PDS, ICDS and MDM schemes of Haryana for one year. The petitioner also participated in the tender process. The petitioner was informed on 13.11.2019 that the tender has been cancelled. No reasons have been assigned why the tender has been cancelled. It is a settled law that the administrative order must be supported by reasons.

Accordingly, on this short ground, the writ petition is allowed. Annexure P-13 dated 13.11.2019 is quashed and set aside along with consequential steps taken by the respondent by calling fresh tender. Respondent no.1 shall take fresh decision by assigning cogent and convincing reasons for cancellation of the petitioner's tender.

It has also been brought to the notice of this Court during the course of hearing that tenders in favour of the private respondents were accepted on 01.12.2019 whereby they have quoted the rate of Rs.320/- per quintal. The petitioner's firm quoted rate of Rs.260/- per quintal. It shall be open to the State Government to continue with the existing procurement system from the private respondents at the rate of Rs.260/- per quintal as quoted by the petitioner for a period of three weeks.

(RAJIV SHARMA)
JUDGE

(HARINDER SINGH SIDHU)
JUDGE

February 06, 2020.

Davinder Kumar

Whether speaking / reasoned

Yes/No

Whether reportable

Yes/No