

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

**CWP No. 10734 of 2021
Date of Decision: 04.6.2021**

Mahinder Pal and another

.....Petitioners

Versus

State of Punjab and others

..... Respondents

**CORAM: HON'BLE MR. JUSTICE ARUN PALLI
HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA**

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

Mr. Vikas Mohan Gupta, Additional A.G. Punjab.

Mr. Nitin Kaushal, Advocate, for respondent No.4.
(The aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in virtual Court).

ARUN PALLI, J. (Oral):

The Department of Food, Civil Supplies and Consumer Affairs had invited online tenders for work of labour and cartage of foodgrains from 01.7.2020 to 30.6.2021 on behalf of all the State procurement agencies.

The petitioners, who participated in the process, were found to be technically compliant and being adjudged the lowest tenderers, were awarded the contract. The private respondent (Dilpreet Singh), who too was technically disqualified, questioned the decision of the authorities declaring him ineligible and also challenged the eligibility of the petitioners, vide an appeal, in terms of clause 16 of the Punjab Food Grains Labour and Cartage Policy, 2020-21, before the Director (respondent No.2). The appellate authority, upon examining the technical viability of the parties, vide order dated 20.5.2021, declared both to be non compliant, and ordered re-tendering.

The limited grievance that the petitioners have is: that despite the matter being time sensitive, their second appeal against the order dated 20.5.2021 (*ibid*) as also the stay application is not being heard. Thus, this petition.

Notice.

Mr. Vikas Mohan Gupta, Additional Advocate General, Punjab, accepts notice on behalf of respondents 1 to 3, and Mr. Nitin Kaushal, Advocate, accepts notice on behalf of respondent No.4.

Learned State counsel, on instructions, submits that the appeal filed by the petitioners shall be considered and decided within one week from today.

In the wake of the above, the petition is accordingly disposed of, in terms of the statement made by the learned State counsel. This Court is sanguine that the second appellate authority shall make every possible endeavour to dispose of the appeal within the time indicated above and the orders passed in this regard shall be communicated to the petitioners.

Needless to assert that this order shall not constitute any expression of opinion on the merits of the case of either party.

(ARUN PALLI)
JUDGE

(MEENAKSHI I. MEHTA)
JUDGE

04.6.2021
AK Sharma

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