

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No. 11785 of 2021 (O&M)

Date of decision:- 05.07.2021

The Bee Kay Coop. L&C Society Ltd.

.....Petitioner

Versus

State of Punjab and others

...Respondents

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

Present:- Mr. Karanbeer Oberoi, Advocate, for the petitioner.
Mr. Sahil Sharma, Deputy Advocate General, Punjab.

(The aforesaid presence is being recorded through video conferencing since the proceedings are being conducted in virtual Court).

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RAVI SHANKER JHA, CHIEF JUSTICE (oral)

The petitioner society has filed this petition being aggrieved by the cancellation of the work to be allotted to it through tender proceedings on the ground that the petitioner society has not filed any EPF certificate.

Learned counsel for the petitioner submits that as per clause 34 of the terms and conditions of the tender notice, the petitioner society having less than 50 employees is not required to file any EPF certificate. It is further submitted that the petitioner society has already submitted an affidavit to this effect before the respondent-authorities as required by clause 34 of the terms and conditions of the tender notice but the respondent-authorities without considering the same have rejected its technical bid.

Learned Deputy Advocate General appearing for the respondent-State of Punjab, who accepts notice also on behalf of Municipal Council, Zirakpur, submits that the petition filed by the petitioner society shall be treated as a representation by the authorities of the Municipal Council, Zirakpur and orders on the issues raised by the petitioner society shall be passed expeditiously in accordance with law. He further undertakes to communicate the order passed on the aforesaid representation to the petitioner society.

In view of the aforesaid statement/undertaking given by learned Deputy Advocate General, Punjab, the petition stands disposed of. However, the aforesaid exercise may be undertaken by the Municipal Council, Zirakpur, preferably before finalizing the tender proceedings.

It is made clear that this Court has not expressed any opinion on the merits of the case and therefore, the respondent-authorities would be at liberty to examine the matter keeping all facts and facets into consideration and thereafter accept or reject the same in accordance with law.

(RAVI SHANKER JHA)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

05.07.2021
ravinder

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