

**107 + 210 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CWP-12758-2021(O&M)
Date of Decision:28.09.2021**

The Bhardwaj Welfare Trust

..... Petitioner

versus

State of Haryana and others

..... Respondents

**CORAM : HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA
HON'BLE MR. JUSTICE VIVEK PURI**

Present: Mr. Chetan Mittal, Senior Advocate with
 Mr.Kunal Mulwani, Advocate for the petitioner.

Mr.Sandeep Moudgil, Addl.AG, Haryana.

Mr.Arvind Seth, Advocate for respondents No. 2 to 4.

TEJINDER SINGH DHINDSA, J. (ORAL)

Instant petition has been filed by The Bhardwaj Welfare Trust stated to be running the Sunflag Hospital & Research Centre, Sector 16A, Faridabad, Haryana.

Challenge in the instant petition is to a notice dated 27.06.2021 (Annexure P-16) [thereafter amended vide corrigendum dated 19.07.2021 (Annexure P-23)] issued by the Haryana Shehri Vikas Pradhikaran (HSVP), Faridabad inviting expression of interest from the eligible parties for running of the hospital in question for a period of at least 10 years. As per impugned notice, 26.07.2021 was the date stipulated for evaluating the technical bids and 27.07.2021 for opening of the financial bids.

The writ petition had come up for preliminary hearing before this Court on 15.07.2021 and at that stage submission advanced by learned

senior counsel was noticed that action of the respondent-authority in issuing the impugned notice is patently arbitrary and illegal inasmuch as a statutory appeal against the order of resumption that had been served upon the petitioner-trust is still pending final adjudication.

Learned Advocate General had appeared on 15.07.2021 and had taken a stand that the statutory appeal would be taken up for hearing expeditiously and till such time the appeal is not decided finally and for a period of 10 days thereafter, the procedure of evaluating technical bids/opening of financial bids pursuant to the impugned notice inviting expression of interest at Annexure P-16 would be held in abeyance.

During the course of resumed hearing today, learned senior counsel has apprised the Court that the appeal filed by the petitioner stands declined vide order dated 24.09.2021. Further submitted that the statutory remedy of a revision before the State Government has been availed of inasmuch as a revision petition dated 27.09.2021 has been filed, seeking interim directions as well.

In the light of such subsequent developments there would be no occasion for this Court to go into the validity of the impugned notice inviting expression of interest dated 27.06.2021 (Annexure P-16) [thereafter amended vide corrigendum dated 19.07.2021 (Annexure P-23)]. The statutory appeal filed by the petitioner has already been decided and now the matter is before the Revisional Authority/appropriate State Government.

Without commenting on the merits of the case, writ petition is disposed of.

Suffice it to observe that the Revisional Authority would be

expected to take up for adjudication the revision petition expeditiously and in any event take a call as regards the prayer seeking interim relief forthwith and in accordance with law.

Disposed of.

Pending applications, if any, shall also stand disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

(VIVEK PURI)
JUDGE

28.09 2021
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No