

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No. 15927 of 2021 (O&M)

Date of decision:- 19.08.2021

M/s Deepak Flour Mill

.....Petitioner

Versus

The Haryana State Federation of Consumers' Cooperative Wholesale Stores
Ltd. Confed and another

...Respondents

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

Present:- Mr. Gaurav Chopra, Sr. Advocate, with
Mr. Anurag Chopra, Advocate, for the petitioner.

Mr. Padamkant Dwivedi, Advocate, for respondent No.1.

(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)

This petition has been filed by the petitioner being aggrieved by rejection of its technical bid by the respondent-authorities on the ground that the experience certificates filed by the petitioner are ambiguous and do not inspire confidence.

Learned senior counsel appearing for the petitioner submits that the experience certificates (Annexures P-4 and P-5) submitted by the petitioner are absolutely unambiguous and clear, and in spite of which the authorities without specifying the grounds/reasons have rejected the petitioner's technical bid. Even the representation filed by the petitioner has been rejected vide order dated 12.08.2021 (Annexure P-15).

Learned counsel appearing for respondent No.1 submits that the authorities have cited the reasons in support of the impugned order rejecting the representation of the petitioner. He submits that a bare look of the experience certificates (vernacular of Annexures P-4 and P-5) submitted by

the petitioner with its technical bid actually do not inspire any confidence for the contents thereof are ambiguous. Further these certificates were not submitted by the petitioner in the previous tender floated by the respondent-authorities. He, however, fairly submits that though the alleged certificates were said to be ambiguous but these were not got verified or enquired into. Therefore, he submits that authorities would have the authenticity/veracity/validity of these certificates examined and take a decision accordingly within a period of two weeks from today. It is stated that although the financial bid has already been opened but the authorities would not finalize the tender until an appropriate order is passed in this regard.

In these circumstances and in view of the statement/undertaking made by learned counsel for respondent No.1 before this Court, the petition stands disposed of. The respondent-authorities would examine the veracity, authenticity and ambiguity of the experience certificates and take a decision in this regard by passing a reasoned order and communicate the same to the petitioner within a period of two weeks and as stated before this Court till that time the tender proceedings shall not be finalized.

(RAVI SHANKER JHA)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

19.08.2021
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Whetherspeaking/reasoned	Yes/No
Whetherreportable	Yes/No