

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No. 18950 of 2021 (O&M)
Date of decision:- 22.09.2021

The Balmiki Cooperative Labour and Construction 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. Dheeraj Mahajan, Advocate, for the petitioner.

Ms. Monica Chhibber Sharma, Sr. 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)

This petition has been filed by the petitioner praying for issuance of a direction to the respondent-authorities to decide the legal notices served by the petitioner upon the respondents.

It is contended by learned counsel for the petitioner that the petitioner was the lowest bidder pursuant to the tender notice floated by respondent No.3. It is submitted that the respondent-authorities without considering the petitioner's bid have proceeded to evaluate the bid of others and awarded the contract to respondents No. 4 and 5. He further submits that the petitioner had served two legal notices upon the respondent-authorities with regard to their action but no decision thereon has been taken till date. Hence this petition.

We have examined the facts stated by the petitioner on affidavit. It is found that the respondent-authorities had infact considered the petitioner's bid and not found it to be technically compliant on 18.06.2021 in respect of all the works for which it had submitted its tender. The respondent-authorities had uploaded the fact of rejection of its technical bid on the portal which has been downloaded and placed before us.

In the circumstances, it is apparent that this petition has been filed by the petitioner by making false and incorrect statement and by suppressing the fact of rejection of its technical bid. This act prima-facie amounts to perjury and criminal contempt of this Court.

When confronted with the aforesaid aspect, learned counsel appearing for the petitioner submits that the aforesaid fact was not brought to his notice by the litigant and in such circumstances, he prays for withdrawal of the petition.

As prayed, the petition is dismissed as withdrawn.

(RAVI SHANKER JHA)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

22.09.2021
ravinder

Whetherspeaking/reasoned	Yes/No
Whetherreportable	Yes/No