

CWP No.18220 of 2021

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(PROCEEDINGS THROUGH V.C.)**

CWP No.18220 of 2021
Date of Decision: 14.09.2021

The Hoshiarpur Distt. Cooperative Labour Construction Union Ltd.
...Petitioner

Versus

The State of Punjab and others
....Respondents

**CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR. JUSTICE ASHOK KUMAR VERMA**

Present:- Mr. Sandeep Bansal, Advocate, for the petitioner.
Mr. Vikas Mohan Gupta, Addl. A.G., Punjab.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court with a grievance that the last date for receipt of tenders is today and the letter dated 16.06.2021 (Annexure P-4) which has been extended as a general condition of submission of said attesting undertaking with calculation as per the formula of available bid capacity as per clause 4.4 of the standard bid documents for works below ₹1.00 crore also by the society/contractors who are to participate in different Urban Local Government Bodies' tenders is contrary to the condition as provided in the notification dated 02.08.2018. Keeping in view the fact that the details with regard to the members of the society who would not be in a position to participate in the bid, counsel has made a submission that at least the representation which has been submitted by the petitioner-union dated 24.08.2021 (Annexure P-10) be considered and a decision taken by the respondents

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within some short span of time so that the members of the union who are freshers may have an opportunity to participate in the tender process. Reference has also been made to the communication dated 24.08.2021 (Annexure P-9) sent by the Labourfed, Punjab, which is addressed to the Director, Local Government, Punjab, Chandigarh – respondent No.2. This letter also, from the Labourfed, points out with regard to clarification of the issue involved as has been sought to be projected by the petitioner-union.

Keeping in view the peculiar facts and circumstances of the present case, we dispose of the writ petition with directions to the Director, Local Government, Punjab – respondent No.2 to take decision on the representation of the petitioner-union dated 24.08.2021 (Annexure P-10) within a period of one week from today. Counsel for the State of Punjab to convey order which has been passed by this Court forthwith. Decision so taken on the representation of the petitioner dated 24.08.2021 (Annexure P-10) be conveyed to the petitioner-union within a further period of two days.

(Augustine George Masih)
Judge

(Ashok Kumar Verma)
Judge

September 14, 2021
R.S.

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No