

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP-18291-2021 (O&M)
Date of decision:- 27.09.2021

The Udham Nagar Cooperative Labour and Construction Society Ltd.

...Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

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

Present: Mr. Ankit Midha, Advocate,
for the petitioner.

Mr. Avineet Avasthi, Assistant Advocate General, Punjab.

Mr. Puneet Kansal, Advocate,
for respondents No. 4 and 5.

Mr. H.C. Arora, Advocate,
for respondents No. 6 to 8.

(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, C.J. (ORAL)

This petition has been filed by the petitioner being aggrieved by the fact that it was technically disqualified by the official respondents in the tender proceedings undertaken by them pursuant to the tender notice dated 03.08.2021 (Annexure P-3).

This Court by an interim order dated 16.09.2021 had directed the respondent-authorities to consider the representation of the petitioner giving it an opportunity of hearing and thereafter pass a reasoned order in respect of its grievance.

The respondents No. 4 and 5 have filed their reply alongwith true copy of the speaking order dated 22.09.2021 (Annexure R-5/1) by which the concerned authorities after giving due opportunity of hearing to the petitioner have considered and rejected its representation dated 10.09.2021.

Learned counsel for the petitioner submits that the respondent-authorities had not granted an opportunity of hearing to the petitioner before passing the speaking order dated 22.09.2021 and have called it now alongwith the relevant documents for taking up further proceedings in the matter.

Learned counsel for respondents No. 4 and 5 submits that they have complied with the order passed by this Court on 16.09.2021 and passed the speaking order dated 22.09.2021 (Annexure R-5/1).

In the circumstances, we are of the considered opinion that as the petition stands today, nothing further survives for adjudication therein in view of the subsequent speaking order dated 22.09.2021 passed by the respondent-authorities.

The petition is accordingly disposed of taking the same on record and granting liberty to the petitioner to assail the aforesaid speaking order dated 22.09.2021 (Annexure R-5/1) passed by the respondent-authorities in case it is so advised and any cause of action still subsists or arises.

(RAVI SHANKER JHA)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

27.09.2021
Amodh

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