

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

CWP-25415-2021 (O&M)
Date of decision:- 15.12.2021

Sukhdev Singh

...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. V.K. Sachdeva, Advocate,
Mr. Pulkit Sachdeva, Advocate,
for the petitioner.

Mr. Avinit Avasthi, Assistant 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, C.J. (ORAL)

This petition has been filed by the petitioner being aggrieved by an order dated 21.10.2020 (Annexure P-4) passed by respondent No. 2 blacklisting him in contravention of the qualifications prescribed in the tender policy documents dated 05.03.2020 (Annexure P-1) and 30.03.2020 (Annexure P-2).

The petitioner further prays for quashing the notice dated 02.09.2020 (Annexure P-7) issued by respondent No. 3 raising an illegal demand of Rs. 68,50,787/- from him.

Learned counsel for the petitioner submits that he had moved a legal notice/representation dated 22.09.2021 (Annexure P-12) before the respondent-authorities and thereafter served them with a reminder dated 30.11.2021 (Annexure P-14) against the action taken by them in respect of blacklisting him pursuant to which the concerned authorities have referred the matter first to the District Controller, Department of Food, Civil Supplies and Consumer Affairs, Amritsar vide letter dated 24.08.2021 (Annexure P-10) and thereafter to the Assistant Commissioner, Taxation and Excise Department, Amritsar-1 vide letter dated 09.11.2021 (Annexure P-13). He further submits that though the matter is pending before the respondent-authorities, they have not taken any decision thereon till date. He, thus, prays for a direction to the respondent-authorities to do so. He further submits that in addition to his previous legal notice/representation dated 22.09.2021 (Annexure P-12), he would file a detailed representation before the respondent-authorities which

may also be directed to be considered and decided by them as expeditiously as possible.

Mr. Avinit Avasthi, learned Additional Advocate General, Punjab, on advance copy, submits that the respondent-authorities shall consider and pass a detailed order on the legal notice/representation dated 22.09.2021 (Annexure P12) moved by the petitioner at the earliest.

In view of the aforesaid statement made by learned State counsel, we do not find any reason to entertain the present petition which is accordingly disposed of. It is made clear that this Court has not expressed any opinion on the merits of the case and, therefore, the authorities would be at liberty to examine the matter keeping all facts and facets into consideration and thereafter accept or reject the same in accordance with law.

(RAVI SHANKER JHA)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

15.12.2021
Amodh

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