

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No. 1258 of 2022 (O&M)
Date of decision:- 27.01.2022

M/s Atlantis Spirits Pvt. Ltd.Petitioner
Versus

Haryana Shehri Vikas Pradhikaran (HSVP) and another
...Respondents

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

Present:- Mr. Ashish Aggarwal, Sr. Advocate with
Ms. Aashna Aggarwal, Advocate, for the petitioner.

Mr. Deepak Balyan, Addl. Advocate General, Haryana
for the respondents.

(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 the act of the respondent-authorities in cancelling the tender process floated by them for award of contract for licensing out the Restaurant Building along with hundred square meters (approximate) as Kids Own situated at City Centre, Sector 5, Panchkula. The petitioner submits that previously the tender, in which the petitioner was the sole bidder, was also cancelled by the respondent authorities. It is stated that subsequently the second tender proceedings were taken up by the respondent-authorities on 03.11.2021 wherein the petitioner has been declared as L-1 but the authorities instead of awarding the tender to the petitioner again cancelled the same and issued a fresh advertisement for allotment of tender on 17.01.2022 wherein the last date for submission of the applications is 01.02.2022.

Learned senior counsel for the petitioner submits that the petitioner has filed an application/representation dated 28.12.2021 (Annexure P-6) before the respondent-authorities in this regard, which is still

pending with them for adjudication and the petitioner has not been informed as to whether the second tender proceedings have infact been cancelled or not. He further alleged that fresh tender proceedings have now been initiated by modifying the conditions to suite the certain persons.

Learned Additional Advocate General appearing for the respondents, on advance copy, submits that the respondent-authorities have now taken a conscious decision to cancel the second tender proceedings for justifiable and valid reasons as informed and instructed by Shri Rakesh Sandhu, Estate Officer, HSVP, Panchkula. He submits that the application/representation dated 28.12.2021 (Annexure P-6) submitted by the petitioner shall be considered and decided by the respondent-authorities expeditiously in accordance with law. He further submits that the decision taken by the authorities for cancellation of the second tender proceedings would be communicated to the petitioner before proceeding further with the fresh tender proceedings.

In view of the aforesaid statement made by learned Additional Advocate General, Haryana, the petition stands disposed of.

It is made clear that this Court has not expressed any opinion on the merits of the case and therefore, the respondent-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

27.01.2022
ravinder

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