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

CWP No. 6177 of 2022
Date of Decision: 28.03.2022

Angad Kumar and Company

-Petitioner

Versus

State of Punjab and others

-Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Jastej Singh Arora, Advocate,
for the petitioner.

RAJ MOHAN SINGH, J. (Oral)

Petitioner has preferred this petition for the issuance of an appropriate writ, order or direction especially in the nature of mandamus directing respondents No.2 to 4 to provide adequate protection to the petitioner- Company for conduct of its smooth obligation in loading and unloading of goods as per terms and conditions of the tender.

Learned counsel for the petitioner submits that the petitioner has been awarded tender work by State of Punjab for carrying out work of labour at Soma PEG godown for the year 2022-23 by way of finalizing the tender process. Respondents No.5 to 7 are the self-appointed President and other office bearers of the autonomous labour union known as 'Punjab

Pardesh Galla Union'. The aforesaid respondents are instrumental in not allowing the petitioner loading of foodgrains by the workers employed/engaged by the petitioner.

Petitioner is a government appointed contractor for carrying out the tender work of labour at Soma PEG godown. The acts of private respondents have caused a serious threat of causing financial loss to the petitioner as well as to the State exchequer. Petitioner is supposed to perform its work assignment allocated to it by way of employing and engaging labour worker. Respondents have openly threatened to disrupt the tender work of the petitioner for which the petitioner has already represented before the police and District Administrator on number of times, but no action has been taken.

Petitioner prays that the authorities be directed to ensure that the petitioner is permitted to carry out its work assignment i.e. execution of tender allocated to it without there being any hindrance at the hands of private respondents.

Notice of motion.

On the asking of the Court, Mr. Tarun Vir Singh Lehal, Addl. A.G., Punjab accepts notice on behalf of State of Punjab.

In view of nature of order which this Court proposes to pass, there is no necessity of calling upon any response from

the respondents, as no order prejudicial to the interest of any party is being passed.

At this stage, without meaning anything on the merits of the case, this writ petition is disposed of with a direction to respondent No.3 to take note of pending representations of the petitioner and to ensure that no physical and financial harm are caused to the petitioner while performing tender work. Process of loading of vehicle and movement of foodgrains be also ensured and be not interfered with by private respondents by taking the laws into their hands. Respondent No.3 would be obligated to look into the grievance of the petitioner and ensure free and smooth transportation of goods as per terms and conditions of tender allocated to the petitioner in accordance with law.

It would be appreciated if the representations of the petitioner are decided or dealt with in accordance with law, preferably within a period of one month from the date of receipt of certified copy of this order.

28.03.2022

Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No