

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

CWP-21867-2022 (O&M)
Date of decision:- 22.09.2022

The New Noble Cooperative Labour & 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. Viren Sibal, Advocate,
for the petitioner.

Mr. Avinit Avasthi, Assistant Advocate General, Punjab.

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RAVI SHANKER JHA, C.J. (ORAL)

The petitioner prays for a writ of certiorari to quash the order dated 31.08.2022 (P-6) issued by respondent No. 5, whereby it has been declared to be non-responsive and its technical bid has since been rejected.

Further, a mandamus is also prayed for directing the respondent-authorities not to carry out any e-tender process without considering its bid; to consider its representation dated 13.09.2022 (P-12) and not to force it to provide Employee Provident Fund (EPF) numbers.

The technical bid submitted by the petitioner was rejected on account of non-compliance with the EPF requirements. Whereas, learned counsel for the petitioner submits that as the petitioner-society is registered under the Punjab Cooperative Societies Act, 1961, in terms of the Rules framed thereunder, there is no such requirement to provide EPF details. For all the members collectively execute the work awarded to them. Further, it is urged that for the past over two decades, the petitioner-society has been awarded similar works and, therefore, rejection of its technical bid by the authorities was erroneous. So much so, he submits that the petitioner vide representation dated 13.09.2022 (P-12) even expressed its concerns and grievances, but to no avail and, therefore, the respondents may be directed to decide the same at the earliest.

Looking to the fact that the representation submitted by the

petitioner is pending consideration, we consider it expedient and direct the

authorities to examine the same and take a decision thereon, as expeditiously as possible, in accordance with law.

The writ petition is accordingly disposed of.

Needless to assert that this order shall not constitute an expression of opinion on the merits of the case.

(RAVI SHANKER JHA)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

22.09.2022
Amodh Sharma

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