

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

CWP-22253-2022 (O&M)
Date of decision:- 28.09.2022

Faruk Malik

...Petitioner(s)

Versus

Post-Graduate Institute of Medical Education and Research,
Chandigarh and others.

...Respondent(s)

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

Present: Mr. Aman Bansal, Advocate,
for the petitioner.

Mr. Amit Jhanji, Senior Advocate,
with Mr. Abhishek Kumar Premi, Advocate,
and Mr. Vibhu Aggarwal, Advocate,
for the respondents.

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RAVI SHANKER JHA, C.J. (ORAL)

The petitioner by way of the present writ petition seeks a writ of certiorari for quashing/setting aside the entire tender process for licensing out the Cafeteria in PGIMER, Chandigarh, whereby the respondent-authorities rejected his technical bid on 20.09.2022 without passing any order/communication and opened the financial bid of respondent No. 3.

The petitioner further seeks a writ of mandamus commanding the respondent-authorities to allot the tender in his favour being eligible and the highest bidder.

Learned counsel for the petitioner, when confronted with clause 45 of the tender document, which deals with dispute resolution, submits that the petitioner has already approached the respondent-authorities by filing a representation dated 20.09.2022 (Annexure P-5) raising objection(s).

Mr. Amit Jhanji, learned senior counsel, appearing for respondents No. 1 and 2 – PGIMER, Chandigarh, on advance copy, submits that the authorities shall consider the petitioner's representation as a dispute under clause 45 of the tender document and decide it expeditiously and in accordance with law, preferably within two weeks.

In view of the aforesaid statement made by learned senior counsel for respondents No. 1 and 2, we do not find any reason to entertain the present writ petition which is 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

28.09.2022
Amodh Sharma

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