

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

(236)

CWP-2266-2019

Date of decision: - 25.04.2023

M/s Bharat Suvidha LLP

....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Abhilaksh Grover, Advocate
for the petitioner.

Mr. Rajneesh Chadwal, AAG, Haryana
for respondents No.2 and 5.

Mr. Sunil Kumar, Advocate
for Mr. Samarth Sagar, Advocate
for respondent No.4.

VIKAS BAHL, J. (ORAL)

1. This writ petition has been filed under Articles 226/227 of the Constitution of India with a prayer to issue a writ in the nature of certiorari for quashing the order dated 06.11.2018 (Annexure P-18) and impugned termination, vide letter dated 27.07.2018 (Annexures P-9 and P-10).

2. Learned State counsel appearing on behalf of respondents No.2 and 5 has pointed out that in the present case, in pursuance of the contract granted to respondent No.3, 40 police booths have been installed and handed over to the police department in an operational manner and has submitted that in view of the same, the present writ petition has been

rendered infructuous, inasmuch as, MoU dated 08.03.2018 which is sought to be relied upon by the petitioner cannot be implemented.

3. Learned counsel for the petitioner has submitted that in the present case, MoU in favour of the present petitioner was dated 08.03.2018 (Annexure P-6) and was terminated unilaterally on 27.07.2018 and even as per the stand of the respondents, the official respondents have awarded the contract to respondent No.3 on 26.07.2018 i.e. one day prior to the termination of the contract of the present petitioner. It is further submitted that in view of said act of the official respondents, a great monetary loss as well as loss of reputation has been suffered by the present petitioner. It is stated submitted that in view of the stand of the respondents-State, the petitioner be permitted to withdraw the present writ petition with liberty to institute appropriate proceedings seeking damages and other reliefs.

4. In view of the above, the present writ petition is dismissed as withdrawn, with the aforesaid liberty.

5. It is made clear that in case any such proceeding is instituted by the petitioner, it would be open to the parties to raise all the pleas as available to them in law.

April 25, 2023
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No