

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

CWP-7057-2023

Date of decision: 10.04.2023

GaneshKartikey Construction Private Limited

... Petitioner

Versus

Union of India and others

... Respondents

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

Present: Mr. Sunil Chadha, Senior Advocate, with
Mr. Akshay Chadha and Mr. Dheeraj Mahajan, Advocates,
for the petitioner.

Ms. Sonia Madan, Advocate, for respondents No.2 & 3.

RAVI SHANKER JHA, C.J. (Oral)

This petition has been filed by the petitioner alleging that the respondent-authorities have declared respondent No.4 to be technically compliant and are proceeding ahead in the matter though previously they had rejected the technical bid of respondent No.4.

Learned senior counsel appearing for the petitioner submits that they have filed a representation before the respondent-authorities on 27.03.2023 (P-5), which is pending and no decision has been taken thereon.

Learned counsel for respondents No.2 & 3, appearing on advance copy, submits that a bare perusal of letter dated 20.03.2023 (P-2) makes it clear that the technical evaluation conducted thereunder was subject to the representation(s) being filed by the persons aggrieved. It is fairly stated that the representation filed by the petitioner is pending and a final decision on the

representations received pursuant to Annexure P-2 is to be taken by the respondent-authorites.

Learned counsel for respondents No.2 & 3 submits that though subsequent to letter (Annexure P-2), the respondent No.4 had been declared L1 and the petitioner L2, however, on receipt of a complaint, the matter has been re-opened by the authorities and that they will consider the representation (P-5) of the petitioner, take a decision thereon, and only thereafter move forward in the tender proceedings. She further submits that they would also provide a personal hearing to the petitioner and others before taking a final decision, if so required.

In view of the statements made by learned counsel for the parties, the petition stands disposed of in terms thereof.

(Ravi Shanker Jha)
Chief Justice

(Arun Palli)
Judge

10.4.2023
Rajan

Whether speaking / reasoned:	YES/NO
Whether Reportable:	YES/NO