

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

CWP-14758-2023(O&M)
Date of decision: 14.07.2023

Khem Chand Sharma

... Petitioner

Versus

Haryana State Cooperative Supply and Marketing Federation Limited
(HAFED) and another

... Respondents

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

Present: Mr. Anand Chhibbar, Senior Advocate, with
Mr. Shikhar Sarin and Ms. Shreya B. Sarin, Advocates,
for the petitioner.

Mr. Deepak Balyan, Addl. AG, Haryana.

RAVI SHANKER JHA, C.J. (Oral)

1. This petition has been filed by the petitioner being aggrieved by the fact that on the basis of a report submitted by an Inspection Team, the petitioner has been treated to be technically disqualified by the respondent-authorities, whereas he has been awarded previous contract by the same authority in the previous year. Even, on a previous occasion, the Executive Engineer, Water Services Division, Kurukshetra, had himself given a certificate and report saying that Godown of the petitioner was situated away from the flood prone area and was not situated in a low lying area.

2. Learned Senior counsel for the petitioner submits that such a disqualification based on an Inspection Report in which the petitioner was not involved would result in permanent loss of business to the petitioner as the authorities would treat the warehouse of the petitioner unsuitable in future as

well. He also submits that the petitioner has filed representations before the authorities on 03.06.2023 (P-12) and 16.07.2014 (P-13), which are pending before the them, but the same has not been considered or decided by the authorities.

3. Learend Additional Advocate General appearing for the State of Haryana submits that the petitioner’s representations (P-12 & P-13) shall be considered and decided by the concerned authority, in accordance with law, as far as possible within a period of two weeks. He also submits that while doing so, if so required, the petitioner would also be granted an opportunity of hearing.

4. Taking the aforesaid statement of learned Additional Advocate General, the petition stands disposed of in terms thereof.

(Ravi Shanker Jha)
Chief Justice

(Arun Palli)
Judge

14.07.2023
Rajan

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