

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Civil Writ Petition No. 19246 of 2023 (O&M)
Date of Decision: 18.10.2023

Chaudhary Transport CompanyPetitioner

versus

State of Punjab and othersRespondents

CORAM: HON'BLE MS.JUSTICE RITU BAHRI, ACTING CHIEF JUSTICE
HON'BLE MS. JUSTICE NIDHI GUPTA, JUDGE

Present : Mr. Tushar Sharma, Advocate, for the petitioner.
Mr. Gaurav Chopra, Senior Advocate with
Mr. Anurag Chopra, Advocate, for respondent No.4.

RITU BAHRI, ACTING CHIEF JUSTICE (oral)

It is informed by learned counsel for the parties that the appeal filed by respondent No.4 against Satnam Singh and others has been accepted by the Secretary-cum-Second Appellate Authority, Department of Food, Civil Supplies and Consumer Affairs, Government of Punjab by observing as under:-

“8. After careful consideration of the facts of the case, I am of the opinion that the FAA has erred in going beyond the terms and conditions of the Tender Document to disqualify the appellant. It is clear that “The Punjab Food Grains Labour & Cartage Policy-2023” does not prescribe any minimum CMR Score and as such any score of CMR cannot be applied on any tenderer under any circumstances. Further the CMR threshold limit prescribed in “The Punjab Custom Milling Policy” is for Rice Millers whereas the case at hand deals with Labour Tenders. There may be a number of different qualifications prescribed for distinct entities under different policies by the Department of Food, Civil Supplies & Consumer

Affairs and by no stretch of imagination do these different qualifications cut across policies to apply on all such distinct entities. Such an inference can lead to total chaos in the functioning of the Department.”

2. In view of the aforesaid facts and circumstances, no further orders are required to be passed in the petition and the same stands disposed of.

(RITU BAHRI)
ACTING CHIEF JUSTICE

(NIDHI GUPTA)
JUDGE

18.10.2023
ravinder

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