

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

**CWP-20086-2023(O&M)
Date of decision: 12.09.2023**

M/s R.N. Sharma

... Petitioner

Versus

Union of India and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE ARUN PALLI
HON'BLE MR. JUSTICE HARKESH MANUJA**

Present: Mr. Gaurav Sharma, Advocate, for the petitioner.

Mr. Narender Vashisth, Advocate,
for the respondent(s)-UOI.

ARUN PALLI, J. (ORAL)

1. The respondent-authorities invited tenders for Collection & Disposal Waste Management Service – Collection, Lifting, Transportation, Unloading, Segregation of garbage, Dry Waste at Army Station Headquarters, Mamun (Department of Military Affairs), Tehsil and District Pathankot.

2. In response, petitioner as also respondent No.4 submits their respective bids.

3. Upon being found technically compliant, the petitioner-firm was adjudged L-1. It is not disputed that respondent No.4 was declared L-2.

4. Learned counsel for the petitioner submits that petitioner had even earlier approached this Court vide Civil Writ Petition No.18767 of 2023, as for no plausible reason, despite being technically compliant and adjudged L-1, it was not being assigned the contract/work. However, the

said petition was dismissed as withdrawn on 25.08.2023, so as to enable the petitioner to approach the respondent-authorities qua its concerns/grievances by filing a representation. Accordingly, he submits that the petitioner did submit a representation before the authorities on 25.08.2023 (P-16). But the same has not been taken cognizance of, and with each passing day interest of the petitioner is severely affected. Further, in the given circumstances, the delay that is being caused by the authorities, reeks malafides and arbitrariness.

5. Mr. Narender Vashisth, Advocate, who is present in Court on behalf of the respondent(s) on advance copy, submits that since the authorities are in seisin of the representation (P-16) submitted by the petitioner, the matter shall be taken cognizance of forthwith. And appropriate orders, in accordance with law, shall be passed within a week from today.

6. In the wake of the above, particularly the statement made by learned counsel for the parties, the petition stands disposed of in terms thereof. This Court is sanguine that the respondent-authority shall pass a comprehensive order assigning reasons in support thereof.

(Arun Palli)
Judge

(Harkesh Manuja)
Judge

12.09.2023

Rajan

Whether speaking / reasoned:
Whether Reportable:

YES/NO
YES/NO