

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

124

CWP-197-2024

Date of decision: 08.01.2024

Ashok Kumar Garg

..... Petitioner

Versus

State of Haryana and others

..... Respondent

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

PRESENT: Mr. Pawan Mutneja, Senior Advocate for
Ms. Suverna Mutneja, Advocate for the petitioner.

NIDHI GUPTA, J.

1. Prayer in this Civil Writ Petition filed under Article 226 of the Constitution of India is for issuance of a writ in the nature of Mandamus directing the respondents to decide the representations dated 06.12.2023 and 14.12.2023 (Annexures P-8 and P-9, respectively) moved by the petitioner herein and to award the contract as per law.

2. Learned Senior Counsel for the petitioner submits that the Detailed Notice Inviting Tender (DNIT) (Annexure P-4) for work comprising construction and beautification of Ajit Stadium at Village Dhanwapur, Ward No. 12 Zone-I MCG, Gurugram, Haryana, was issued by the Haryana Government on 13.07.2023. After negotiations, the petitioner submitted the bid for a sum of Rs.1275 lakhs and was adjudged as L-I; whereas L-II had quoted the bid for a sum of Rs.1277 lakhs for the aforesaid work. It is submitted that despite that the respondents are intending to award contract to L-II, even though he had quoted a higher bid amount of Rs.1277 lakhs for the work in question as compared to the petitioner. It is further submitted that for the relief claimed in the instant

writ petition, the petitioner has moved detailed representations dated 06.12.2023 and 14.12.2023 (Annexures P-8 and P-9, respectively) to the concerned authorities/respondent No. 3 herein, and for allotment of work as per law. However, no action thereupon has been taken, so far. Learned Senior Counsel for the petitioner submits that at this stage, he would be satisfied if the present writ petition is disposed of, with a direction to the respondents to consider and take a final decision on the representations dated 06.12.2023 and 14.12.2023 (Annexures P-8 and P-9, respectively) made by the petitioner, in a time bound manner and to take appropriate action upon the same, in accordance with law.

3. Notice of motion.

4. On the asking of Court, Mr. Deepak Baliyan, Addl. A.G. Haryana, accepts notice on behalf of respondents.

5. In view of the above and without expressing any opinion on the merits of this case, the writ petition is being **disposed of** with a direction to respondents concerned to consider and decide the aforesaid representations dated 06.12.2023 and 14.12.2023 (Annexures P-8 and P-9, respectively) moved by the petitioner herein by passing a speaking order in accordance with law, within a period of 04 weeks from the date of receipt of certified copy of this order.

(RITU BAHRI)
ACTING CHIEF JUSTICE

(NIDHI GUPTA)
JUDGE

08.01.2024
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Whether speaking/reasoned Yes/No

Whether Reportable Yes/No