

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

CWP-517-2024

Date of decision: 26.02.2024

The Rahul Co-operative Labor and Construction Society Ltd.Petitioner

Versus

State of Haryana and others

....Respondents

**CORAM: HON'BLE MR. JUSTICE ARUN PALLI
HON'BLE MR. JUSTICE VIKRAM AGGARWAL**

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

Mr. Deepak Balyan, Advocate, and
Mr. Vicky Chauhan, Advocate,
for respondent No.4.

ARUN PALLI, J. (Oral)

Pursuant to the tender dated 20.09.2023 (P-1), Municipal Committee, Uchana (respondent No.4), invited bids for night sweeping of streets/roads and lifting of garbage.

On January 10, 2024, when the matter came up for consideration before the Coordinate Bench, following order was passed:-

“Learned counsel for the petitioner inter alia contends that the contract has been awarded to respondent No.5 in clear violation of condition No.4 of the notification dated 20.05.2022 (Annexure P-3), as respondent No.5 is not a Society consisting of all members belonging to Scheduled Castes.

Learned Additional Advocate General, Haryana, prays for time to seek instructions in the matter after verifying the aforesaid fact.

List on 26.02.2024.

In the meanwhile, operation of the work order dated 15.12.2023 (Annexure P-8) shall remain stayed.”

Learned counsel for respondent No.4, at the outset, submits that rather than furnishing an affidavit, in response to the order referred to above, it would be expedient if the petition is disposed of, at this stage, to enable the competent authority to take cognizance of the matter and deal with the concerns/grievances of the petitioner, as sought to be raised in the petition. And pass necessary orders, in accordance with law. Further, he submits that before any such orders are passed, the petitioner shall also be afforded a hearing. However, he fairly submits that till any formal orders, as indicated above, are passed, the interim order passed by this Court shall continue to operate.

Learned counsel for the petitioner is in agreement with the course suggested by learned counsel for respondent No.4 and submits that let this petition be disposed of, in terms of the statement made by him. However, it is urged that the authorities be directed to do the needful within a specified time.

In response, learned counsel for respondent No.4 submits that appropriate orders shall be passed within a period of three weeks from today.

The petition is accordingly disposed of, in terms of the statements made by learned counsel for the parties.

This Court is sanguine that the authorities shall look into the matter in the right earnest. And the appropriate orders shall be passed within the time indicated by learned counsel for respondent No.4.

Needless to assert that this order shall not constitute any expression of opinion on the merits of the case of either party, for, as indicated above, the competent authority shall examine the concerns/grievances of the petitioner, strictly in accordance with law.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

26.02.2024
Ak Sharma

Whether speaking/reasoned	Yes
Whether reportable	Yes/No