

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

2024:PHHC:063183-DB



107

CWP-PIL-17-2023
Date of Decision: 07.05.2024

Gurmit Singh

.....Petitioner(s)

Versus

State of Punjab and others

.....Respondent(s)

**CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA,
ACTING CHIEF JUSTICE
HON'BLE MS. JUSTICE LAPITA BANERJI**

Present: Mr. Chandan Singh, Advocate,
for the petitioner.

Mr. Saurav Khurana, Addl. A.G., Punjab.

Mr. Aman Sharma, Advocate,
and Mr. Chirag Suri, Advocate,
for respondent No.4.

G.S.SANDHAWALIA, ACTING CHIEF JUSTICE (Oral)

1. Prayer made in the present writ petition filed in the form of public interest litigation under Articles 226 and 227 of the Constitution of India is for setting aside of the tender dated 21.09.2021 (Annexure P-4) allotted to respondent Nos.5 and 6 without providing any specific details.

2. On an earlier occasion, the petitioner had also approached this Court by filing CWP-PIL-43-2022, Gurmit Singh vs. State of Punjab and others and the work was in progress. The same was dismissed as withdrawn on 28.03.2022 (Annexure P-7) with liberty to pursue his representation before the respondent-authorities. Apparently, responding to the legal notice by replying to the same on 22.07.2022 (Annexure P-9), it has been averred that the financial bids were to be opened on 21.09.2021 for work worth about Rs.5 crores and three

2024:PHHC:063183-DB



contracts have been short-listed to do the work after opening of technical and financial bids. The same were stated to be as per the requirement of municipalities of prevalent procedure under the Rule and there were three contractors which had to be short listed and three companies with different GST numbers.

3. The reply filed by respondent No.4-Municipal Corporation is also to the same extent while noticing that an interim order was passed as such on 28.11.2023 as to what was the quantum of work done since a letter of even date has been placed on record dated 28.11.2023 (Annexure R-1) wherein, it has been depicted that 90% of the work had been completed. Resultantly, the affidavit has been filed that respondent Nos.5 and 6 as such had been issued work orders amounting to Rs.4,98,00,000/- and they had completed 97% of the allocated work. The due payment was to be released upon verification and scrutiny of works. It was also further mentioned that another person as such had also filed CWP-25928-2021, Harmit Singh Sidhu vs. State of Punjab and others for setting aside the allotment of work, which was dismissed as withdrawn on 20.12.2021 (Annexure A-1).

4. Keeping in view the above chain of facts and that once the work has already been completed and the petitioner has approached this Court mid-way after the work had been allotted after almost a period of one year and the representation as such having been answered, we are of the considered opinion that since the work in question is a development work which has to be done and the manner in which it is sought to be challenged by initiating a series of litigations at the hands of the petitioner does not make out any case for public

2024:PHHC:063183-DB



5. Resultantly, keeping in view the cumulative factors, we do not feel it is a fit case to further proceed with. Resultantly, the same is dismissed.

(G.S. SANDHAWALIA)
ACTING CHIEF JUSTICE

07.05.2024
shivani

(LAPITA BANERJI)
JUDGE

Whether reasoned/speaking	Yes
Whether reportable	No