

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

CWP-3898-2024

Date of decision: 21.02.2024

Brightway Engineers & Traders

....Petitioner

Versus

Municipal Corporation, Public Health Division-I, Chandigarh and
another

....Respondents

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

Present: Mr. M.K. Mittal, Advocate,
for the petitioner.

ARUN PALLI, J. (Oral)

Tenders were invited by Municipal Corporation, Chandigarh, for comprehensive operation & maintenance of 66 KV Grid sub-station, along with maintenance of 2 No. 11 KV sub-station at Water Works, Sector-39, Chandigarh, for a period of 12 months. In essence, the petitioner is aggrieved by the communication dated 05.02.2024 (P-5), vide which, it was held to be technically non-responsive. It is not disputed either that post rejection of the technical bid of the petitioner, the authorities scrapped the earlier tendering process, and have now issued a fresh DNIT dated 06.02.2024 (P-7).

Though, nothing is indicated in the petition, but, upon being pointedly asked, learned counsel for the petitioner concedes that even in response to the DNIT dated 06.02.2024 (*ibid*), the petitioner has submitted its bid.

Served with the advance copy of the petition, Ms. Diya Sodhi, Advocate, for the respondents, is present in Court. She submits that as the petitioner was again found to be non-responsive, its technical bid has since been rejected on 13.02.2024. She further submits that the order passed by the authorities in this regard would be communicated to the petitioner today itself. Be that as it may, she submits that as the grievance of the petitioner is: the impugned order dated 05.02.2024 (P-5) is non-speaking and the petitioner purports to

fulfill all the eligibility conditions, it would be expedient if this petition is disposed of, at this stage, to enable the respondents to consider and pass a detailed order on the representation dated 02.02.2024 (P-6), the petitioner is alleged to have submitted. Further, before any such orders are passed, the petitioner shall also be heard.

Learned counsel for the petitioner is in agreement with the course suggested by learned counsel for the respondent-Corporation, and submits that let this petition be disposed of, in terms of the statement made by her. However, it is urged that the matter being time sensitive, the authorities be directed to do the needful within a specified time.

In response, learned counsel for the respondent-Corporation submits that appropriate orders, in accordance with law, shall be passed within two days from today and in any case, before finalising the tender, pursuant to the DNIT dated 06.02.2024 (*ibid*).

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 the learned counsel for the respondent-Corporation.

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

21.02.2024
Ak Sharma

Whether speaking/reasoned	Yes
Whether reportable	Yes/No