

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

CWP-5348-2024

Date of decision: 06.03.2024

M/S S.S.B. Enterprises

....Petitioner

Versus

State of Punjab and others

....Respondents

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

Present: Mr. Ashish Aggarwal, Advocate,
for the petitioner.

ARUN PALLI, J. (Oral)

The Transport Department, Punjab, had invited bids for selection of vendors for establishment and operation of six Automated Testing Stations (ATS) in the State, in six clusters. The petitioner submitted its bid for one of the clusters (Amritsar).

In essence, the grievance of the petitioner is that pursuant to the proceedings recorded by the Tender Committee on 01.02.2024 (P-6), it was declared non-responsive “*Declare commercial in Technical Bid.*” However, vide letter dated 28.02.2024 (P-8), the petitioner was informed that the above tender had been revoked from technical evaluation to technical bid opening.

Served with the advance copy of the petition, Mr. Shekhar Verma, learned Additional Advocate General, Punjab, is present in Court. At the outset, he has placed before us a copy of the corrigendum-IV, which is taken on record as ‘Mark X’. And a copy thereof has been shared with learned counsel for the petitioner. The said Corrigendum reads as thus:

“Office of State Transport Commissioner, Punjab

Corrigendum-IV

***1. In reference to the tender no.37520 Dated 02.11.2023
published by O/o State Transport Commissioner, Punjab, for
the “Selection of Vendors For Establishment & Operation of 6***

Automated Testing Stations”. The last date for submission of all relevant documents by vendors was 21.12.2023.

2. *On scrutiny of the submitted documents by the bidders, it was observed that few bidders had submitted financial bids along with technical bids. This was not in accordance with clause 6.3 of the tender document. Hence, the scrutiny committee rejected these bids.*
3. *Representations were received from some of the rejected bidders. They submitted that financial bids along with technical bids had been submitted as per provision of clause 6.2.1.*
4. *That these bids were re-examined.*
5. *Accordingly, this corrigendum is issued to consider those technical bids which were earlier rejected on the grounds of violation of clause 6.3, to be considered as per provisions of clause 6.2.1, on merits, all other terms and conditions of the tender document shall remain the same.”*

In the wake of the position set out in the corrigendum (*ibid*), and the fact that authorities have held the petitioner to be technically responsive/compliant and its price bid would be considered, learned counsel for the parties submit that nothing substantive survives in the petition. Accordingly, they submit that the petition be disposed of, as having been rendered infructuous.

Ordered accordingly.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

06.03.2024
Ak Sharma

Whether speaking/reasoned	Yes
Whether reportable	Yes/No