

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-5973-2024
Date of decision: 20.03.2024

The Punjabi Co-op Labour & Construction Society Ltd. and another
.....Petitioners
Versus
State of Punjab and others
.....Respondents

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

Present: Mr. Raman Sharma, Advocate,
for the petitioners.

ARUN PALLI, J. (Oral)

The petitioners have prayed for the following substantive
relief:-

*“Civil Writ Petition under Articles 226/227 of
the Constitution of India for issuance of writ issue a
writ in the nature of Certiorari, Mandamus or any
other appropriate writ, order or direction declaring
impugned inaction and action of official respondents
Nos. 1 to 3 in continuing with the wrongful bid sheet
of respondent no.4 being contrary to true intent and
conditions of the e-tendering process being totally
wrong, illegal, arbitrary, without jurisdiction and
violative of Articles 14 and 19(1)(g) of the
Constitution warranting interference by this Hon’ble
Court;*

*And, to issue a writ of Mandamus directing
the respondents No.1 to 3 to take a considered and*

conscious decision on the legal notice of demand dated 29.02.2024 (Annexure P-6) served by the petitioners before proceeding with allotment of works by affording opportunity of hearing to the petitioners in the peculiar facts & circumstances of this case.”

Learned counsel for the petitioners submits that prior to the institution of this petition, the petitioners had even served the respondent authorities with a legal notice dated 29.02.2024 (P-6). However, even though a considerable time has elapsed, the matter has not made any tangible progress. Thus, interest/rights of the petitioners are severely impacted.

Served with the advance copy of the petition, Mr. Jastej Singh, learned Deputy Advocate General, Punjab, is present in Court. At the outset, he submits that as the competent authority is already in seisin of the concerns/grievances of the petitioners, it would rather be expedient if this petition is disposed of, at this stage, to enable the respondent authorities to consider and pass necessary orders on their legal notice (*ibid*), in accordance with law. Further, he submits that before any such orders are passed, the authorized representative(s) of the petitioners shall be heard. And a formal communication, in this regard, shall also be issued to them.

Learned counsel for the petitioners is in agreement with the course suggested by learned State counsel, 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 State counsel submits that appropriate orders shall be passed within a period of one week 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 the learned State counsel.

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 petitioners, strictly in accordance with law.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

20.03.2024
Ak Sharma

Whether speaking/reasoned	Yes
Whether reportable	Yes/No