

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-6803-2024
Date of decision: 21.03.2024

Sukhwindra Transport (Proprietorship Concern)Petitioner

Versus

Union of India and othersRespondents

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

Present: Mr. Raj Kaushik, Advocate,
for the petitioner.

ARUN PALLI, J. (Oral)

The petitioner has prayed for the following substantive relief:-

“Civil Writ Petition under Article 226 of the constitution of India with the prayer for issuance of an appropriate writ, order or direction in the nature of MANDAMUS directing the Respondents to finalise the process of allocating the work tender under Two Bid Systems from eligible truck owners for award of contracts for packed LPG Cylinders Transportation for BPCL LPG Bottling Plant, Punjab for supplying to within State (Ws) and Outside State (OS) locations for a period of five years vide Tender No.BPCL/LPG/PKD/Lalru/2023-28 in response of the tender notice No.BPCL/LPG/PKD/Lalru/2023-28. (Annexure P-3) as the tender had been submitted in the month of Feb. 2024.

AND

With a further prayer for issuance of an appropriate writ, order or direction in the nature of MANDAMUS directing the Competent Authority of the Respondents to consider the submissions made by the petitioner in the legal notice dated 09.03.2024. (Annexure P-7).

Learned counsel for the petitioner submits that prior to the institution of this petition, the petitioner had even served the respondent authorities with a legal notice dated 09.03.2024 (P-7), but to no avail. And, as a result, interest/rights of the petitioner are severely impacted.

Served with the advance copy of the petition, Mr. Sudhir Nar, Advocate, for respondent No.1-Union of India, and Mr. Raman Sharma, Advocate, for respondents No.2 and 3-BPCL, are present in Court.

At the outset, learned counsel for the respondent-BPCL submits, for the competent authority is already in seisin of the concerns/grievances of the petitioner, it would be expedient if this petition is disposed of, at this stage, to enable the respondent authorities to consider and pass necessary orders on its legal notice (*ibid*), in accordance with law. Further, he submits that before any such orders are passed, the authorized representative(s) of the petitioner shall be heard. And a formal communication, in this regard, shall also be issued.

Learned counsel for the petitioner is agreeable to the course suggested by learned counsel for the respondent-BPCL, and submits that let this petition be disposed of, in terms of the statement made by him. However, it is urged that the matter being time sensitive, the authorities be directed to take a final decision in the matter, within a specified time.

In response, learned counsel for the respondent-BPCL submits that appropriate orders shall be passed within a period of four 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 the learned counsel for the respondent-BPCL.

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

21.03.2024
Ak Sharma

Whether speaking/reasoned	Yes
Whether reportable	Yes/No