

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.7070 of 2024 (O&M)

Date of Decision :22.03.2024

S.S. Services Providers

.....Petitioner

Versus

State of Punjab and others

..... Respondents

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

Present : Mr. Kanish Jindal, Advocate for the petitioner.

Mr. Jastej Singh, DAG, Punjab.

ARUN PALLI, J. (Oral):

The petitioner has prayed for the following substantive relief:-

“Civil Writ Petition under Article 226 of the Constitution of India, praying for issuance of writ in the nature of certiorari for quashing the Technical Evaluation Report dated 14.03.2024 (Annexure P-3), vide which the technical bid offer submitted by the Petitioner was wrongly rejected, without assigning any reason whatsoever,

Further prayer for issuance of writ in the nature of Mandamus to decide via speaking order the Representation dated 15.03.2024 (Annexure P-4) submitted by the petitioner, and take appropriate action thereon,

Further prayed that the Order dated 14.03.2024 (Annexure P-3), vide which the Petitioner was declared ‘Disqualified’, by the Tender Processing Committee (Respondent No.3 to 5) & further tender proceedings may kindly be stayed and put in abeyance during the pendency of the instant writ petition.

Further, prayed that in case, the tender has been awarded, and the work order has been issued, the

same may kindly be stayed and cancelled as the same is void, non-est, being arbitrary.”

Learned counsel for the petitioner submits that prior to the institution of this petition, the petitioner had even served the respondent authorities with a representation dated 15.03.2024 (P-4), but to no avail.

Served with the advance copy of the petition, Mr. Jastej Singh, DAG, 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 petitioner, 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 its representation (*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 to it.

Learned counsel for the petitioner 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 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 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 petitioner, strictly in accordance with law.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

22.03.2024
Manoj Bhutani

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No