



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

CWP-16682-2024

Date of decision: 19.07.2024

Ganpati Sales

....Petitioner

Versus

Baba Farid University of Health Sciences, Faridkot and another

....Respondents

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

Present: Mr. Surinder Garg, Advocate,
for the petitioner.

ARUN PALLI, J. (Oral)

A Certiorari is prayed for, to quash the Letter of Intent dated 28.06.2024 (P-6), issued in favour of Amandeep Chanana (respondent No.2), by the respondent-University, for providing parking service in the University. Further, respondent No.1 be directed to allot the parking contract to the petitioner rather than respondent No.2.

Learned counsel for the petitioner submits that pursuant to the tender notice dated 02.03.2024 (P-2), published in the Jagbani and Dainik Savera Newspapers, regarding parking facility in the hospital, petitioner as also the private respondent had submitted their respective bids. He submits that both the tenderers were declared technically compliant/responsive. And upon opening the price bids, for respondent No.2 had submitted a bid of Rs.24,50,000/-, compared to the bid of petitioner, i.e. Rs.24,20,180/-, he has since been issued the LOI on 28.06.2024. He asserts that per the eligibility criteria set out in the tender document, for a bidder to be eligible to participate, it was required to



possess an experience of providing parking service to a reputed institution for not less than one year in the last three years. Therefore, he submits that apparently, respondent No.2 did not possess the requisite experience, for no document in support thereof was appended with the bid submitted by him. It is submitted that even, in terms of the evaluation of the price bids, the bid submitted by petitioner would be higher, though owing to an inadvertent error, it failed to club the component of Tax Collected at Source (TCS) @ 2% with its price bid. Whereas, although the price bid submitted by respondent No.2 has the element of GST and TCS, but the figure, i.e. 4,41,000/- was erroneously worked out. It is submitted that if the price bid of the parties is correctly worked out, the bid submitted by the petitioner is more competitive. It is urged that the petitioner is already in charge of the parking of the University and per the existing contract, it can operate till 21.07.2024.

For, apparently, the matter is time sensitive and to secure the interest of all the stakeholders, the petition at hand is disposed of, at this stage, with a direction to respondent No.1 to consider the concerns/grievance of the petitioner, as sought to be raised in the petition, and pass necessary orders, in accordance with law, as expeditiously as possible. Further, before any such orders are passed, petitioner as also respondent No.2 shall be heard. And a formal communication, in this regard shall also be issued, well in advance.

In the wake of the position sketched out above, the petition is accordingly disposed of.



This Court is sanguine that the authorities shall look into the matter in the right earnest. And the appropriate orders, assigning reasons in support thereof, shall be passed at the earliest.

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

19.07.2024
Ak Sharma

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