



CWP-17365-2024

-1-

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-17365-2024Date of decision: 25.07.2024

Vinay Sachdeva and others

....Petitioners

Versus

Pt. B.D. Sharma, University of Health Sciences, Rohtak and another

....Respondents

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

Present: Mr. Keshav Pratap Singh, Advocate,
for the petitioners.

ARUN PALLI, J. (Oral)

The petitioners have prayed for the following substantive
relief:

*“Civil Writ Petition under Article
226/227 of the Constitution of India for issuance of
a writ, order or direction especially in the nature of
Certiorari for quashing of condition No.8-providing
of GST number and condition no.9-providing of
valid licence for sale of Drugs and Medicine as
incorporation in the column of essential documents
required for technical bid as same is arbitrary and in
violation of Article 14 of Constitution of India.*

*Further writ, order or direction in the
nature of Mandamus directing the respondent no.1
to consider the candidature of the petitioners without
the GST number and the Drugs Licence.”*

Learned counsel for the petitioners submits that petitioners,
being Diploma holders in Pharmacy, are desirous of participating in the



tendering process initiated by the respondent-University, vide tender dated 21.06.2024 (P-2), for allotment of shop No.5 (chemist) in shopping complex in UHH, Rohtak. He asserts that, in essence, the petitioners are aggrieved by conditions No.8 and 9 of the tender document and, in this regard, they had even expressed their grievance in the pre-bid meeting held on 04.07.2024. But to no avail.

Served with the advance copy of the petition, Mr. Nilesh Bhardwaj, Advocate, for the respondent-University, is present in Court. At the outset, he, on instructions, submits that in the given circumstances, it would be expedient if the petition is disposed of, at this stage, to enable the competent authority to take cognizance of the concerns/grievances of the petitioners, as set out in the petition, and pass necessary orders, in accordance with law. Further, before any such orders are passed, the petitioners shall be heard, for which a formal communication shall also be issued to them, well in advance.

Learned counsel for the petitioners is in agreement with the course suggested by learned counsel for the respondent-University, and submits that let this petition be disposed of, in terms of the statement made by him. However, it is urged, for the technical bids are scheduled to be opened on 02.08.2024 the authorities be directed to do the needful within a specified time.

In response, learned counsel for the respondent-University submits that appropriate orders, as indicated above, shall be passed within a week from today, and in any case, before opening the technical bids.



In the wake of the position sketched out above and in terms of the statements made by learned counsel for the parties, 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 shall be passed within the time indicated by the learned counsel for the respondent-University

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 earlier, the competent authority shall examine the concerns/grievances of the petitioners, strictly in accordance with law.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

25.07.2024
Ak Sharma

Whether speaking/reasoned	Yes
Whether reportable	Yes/No