



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

**CWP-17350-2024
Date of Decision: 20.08.2024**

M/S GOURMET CLUB

....Petitioner

Versus

UNION OF INDIA AND OTHERS

.....Respondents

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

Present: Mr. Salil Dev Singh Bali, Advocate
for the petitioner.

Mr. Pankaj Gupta, Senior Panel Counsel
for the respondent-Union of India.

Ms. Amrita Nagpal, Advocate
for respondents No.2 to 5.

VIKRAM AGGARWAL, J.

1. The petitioner claims to be a reputed and experienced firm associated with the Food and Hospitality Sector since long. Currently it is rendering catering services to various organizations/clubs viz Chandigarh Golf Association, Chandigarh Lake Club, Kisan Bhawan etc. and claims to have a state of the art, well equipped kitchen in Mohali. It is also rendering catering services at the Defence Services Officers Institute, Sector 36-C, Chandigarh-respondent No.2 (for short 'DSOI').

2. The petitioner is essentially aggrieved of the decisions dated 13.06.2024 and 26.06.2024 (Annexures P-6 and P-10) vide which, in pursuance to bids having been invited for catering services in the DSOI, respondent No.6 has been declared as the successful bidder. The grievance of the petitioner is that the

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terms and conditions of the tender (Annexure P-1) have not been followed in letter and spirit and have in fact been violated.

3. Learned counsel for the petitioner submits that before filing the instant writ petition, it had submitted a representation dated 15.06.2024 (Annexure P-9) wherein it had raised certain concerns and grievances. It has been submitted that despite the submission of the said representation, no formal decision has been taken on the same, though a hearing had been afforded by the respondents after the submission of the said representation. Learned counsel maintains that on account of no formal decision having been taken, the interests of the petitioner continue to suffer. It has also been contended that certain other aggrieved persons had also submitted representations (Annexures P-7 and P-8) but the same also did not evoke any response.

4. Learned counsel representing the respondents submit that due hearing was granted to the petitioner after receipt of the representation (Annexure P-9). Ms. Amrita Nagpal, learned counsel representing respondents No.2 to 5, on instructions from Brigadier Ashish Popli, submits that the representation (Annexure P-9), submitted by the petitioner, shall be considered by the competent authority in the right earnest and a speaking order thereon shall be duly passed within a week from today. Further, for the petitioner has already been heard, post submission of its representation, there would hardly be any necessity to re-hear the petitioner.

5. Learned counsel for the petitioner is agreeable to the course suggested by learned counsel for the respondents and submits that the petitioner would be satisfied if a speaking order is passed on the representation submitted by the petitioner.

6. In view of the above, the present writ petition is disposed of in terms of the statements made by learned counsel for the parties. We are sanguine that the competent authority shall pass a well-reasoned and speaking order after considering the concerns and grievances of the petitioner as raised in the representation dated 15.06.2024 (Annexure P-9) in accordance with law.

Needless to assert that nothing observed hereinabove shall be construed to be an opinion of expression on the merits of the case.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

20.08.2024
Prince Chawla

Whether speaking/reasoned :	Yes/No.
Whether reportable :	Yes/No.