

2024:PHHC:148261



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

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**CWP-26114-2018 (O&M).
Date of Decision: 13.11.2024.**

M/S JANTA MEDICOS

... Petitioner(s)

Versus

STATE OF HARYANA AND OTHERS

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Mr. Arun Bansal, Advocate,
(Through Video Conference)
for the petitioner.

Mr. Pankaj Mulwani, DAG, Haryana.

Mr. Navraj S. Guron, Advocate, for
Mr. R.S. Guron, Advocate, for respondent No.4.

VINOD S. BHARDWAJ, J. (ORAL)

Prayer in the instant petition was for seeking issuance of directions to the respondents to issue purchase order to the petitioner in view of terms and conditions of memo dated 15.11.2016 (Annexure P-2).

2 Learned counsel appearing for the petitioner contends that notwithstanding the bid for supply of vaccination having been submitted by the petitioner for and on behalf of respondent No.4, respondent No.2-the

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Director, Supplies and Disposal, Hayana, has placed the purchase order to respondent No.4 and has thus ousted the petitioner from the process of supplies ignoring that it was the bid submitted by the petitioner that had been accepted and a purchase order should have been issued to him.

3 On being confronted with the Clause 18 of the tender document which provides for alternative dispute resolution by way of an arbitration, counsel for the petitioner seeks withdrawal of the instant petition with liberty to take recourse to the disputes resolution through the process of arbitration as contained in the agreement.

4 The present petition is accordingly disposed of as not pressed with liberties as aforesaid.

5 Needless to mention that the period during which the present petition remained pending before this Court shall not stand in the way of the petitioner for pursuing his remedies, if the same is otherwise within limitation.

6 Pending misc. application(s), if any, shall also stand(s) disposed of accordingly.

November 13, 2024.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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