



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

CWP No.18551 of 2024 (O&M)

Date of Decision :05.08.2024

M/s J.K.Biomed

.....Petitioner

Versus

State of Haryana and others

..... Respondents

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

Present : Mr. Mrigank Sharma, Advocate for the petitioner.

**Mr. Ankur Mittal, Addl. A.G. Haryana with
Ms. Kushaldeep Kaur, Advocate.**

**Mr. B.S.Kanwar, Sr. Panel Counsel for UOI.
(through hybrid mode).**

ARUN PALLI, J. (Oral):

Haryana Medical Services Corporation Limited (respondent No.2) had invited tender for supply, installation and commissioning for One Time Purchase of Automated Liquid Based Cytology System as mentioned against item in schedule of requirement, vide DNIT dated 31.01.2024. The petitioner (M/s. J.K.Biomed), who happened to be one of the tenders, is aggrieved by an order dated 21.05.2024, vide which, it has been declared non-responsive/ineligible.

Having argued the matter at length, learned counsel for the petitioner eventually submits that the petitioner had even served the respondents-authority with a representation dated 27.06.2024 (P-12), which demonstrates, as to how, M/s Batra Pharmaceuticals (respondent No.4) as also

M/s Hemogenomics Private Limited (respondent No.5) were technically non-



responsive/non-compliant. Thus, the decision of the respondents-authority to declare them eligible was/is erroneous. He submits that even though a considerable time has elapsed but the respondents-authority has failed to take cognizance thereof.

Served with the advance copy of the petition, Mr. Ankur Mittal, Additional Advocate General, Haryana, is present in Court on behalf of respondents No.1 and 2 and submits that once the petitioner itself was/is held to be ineligible, for he failed to meet the tender conditions, it would lack locus to question the decision of the respondents-authority, vide which, the private respondents were declared compliant/responsive. Be that as it may, he submits, for, representation dated 27.06.2024 (ibid), submitted by it, is alleged to be pending, the competent authority shall take cognizance thereof and pass necessary orders thereon, in accordance with law.

Accordingly, learned counsel for the petitioner submits that let the petition be disposed of in terms of the statement made by learned counsel for respondents No.1 and 2.

The petition is, accordingly, disposed of in terms of the statements made by learned counsel for the parties.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

05.08.2024
Manoj Bhutani

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