



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-19683-2024 (O&M)
Date of decision: 29.08.2024

Gaurav Gupta ContractorPetitioner

Versus

The State of Punjab and othersRespondents

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

Present: Dr. Anmol Rattan Sidhu, Senior Advocate, with
Mr. Raghav Gulati, Advocate,
Ms. Sandhya Gaur, Advocate,
Ms. Mandeep Kaur, Advocate,
for the petitioner.

Mr. Jastej Singh, Deputy Advocate General, Punjab.

Mr. Baltej Singh Sidhu, Senior Advocate, with
Mr. Divij Datta, Advocate, and
Mr. Jashandeep Sidhu, Advocate,
for respondent No.3.

ARUN PALLI, J. (Oral)

Concededly, the petitioner (Gaurav Gupta Contractor),
centered upon the same cause of action, had even earlier approached this
Court vide CWP-16189-2024, which was disposed of on 16.07.2024:-

*“Having argued the matter at some length,
learned counsel for the petitioner submits that he be
permitted to withdraw the petition to enable the
petitioner to pursue the legal notice dated 03.07.2024 (P-
6), the respondent authorities have been served with. For,
the case set out in the petition is that since respondent
No.4 (M/s Jyoti Contractor) was technically non-
compliant, its technical bid ought not to have been
accepted.*

Dismissed as withdrawn.”



Learned Senior counsel for the petitioner submits that the limited grievance that the petitioner has is: even though, pursuant to the order passed by this Court (*ibid*), he moved the respondent-Corporation, vide repeated representations dated 24.07.2024 (diary No.387/CE); 25.07.2024 (diary No.689/CE); 12.08.2024 (diary No.456/CE) and 12.08.2024 (diary No.805/CE), to examine his concerns/grievances as regards ineligibility of the private respondent. But to no avail.

In response, learned Senior counsel for contesting-respondent No.3, on instructions from Mr. Baljit Singh, Executive Engineer, Municipal Corporation, Jalandhar, submits that to date, the respondent-Corporation has not received any such representation, and thus, there was no occasion to deal with the concerns of the petitioner, as sought to be raised in the petition at hand. Be that as it may, he submits that let the petitioner move the Corporation now, by filing a comprehensive representation, which shall be taken cognizance of, forthwith. And necessary orders, in accordance with law, shall be passed thereon within a week from the receipt of the said representation. Further, before any such orders are passed, the petitioner, as also the other stakeholder(s), shall be heard, for which, a formal communication shall be issued to them, well in advance. However, he fairly submits that if the contract has not been formally assigned to the private respondent and the work is yet to be commissioned, the work order shall not be issued till the formal orders, as indicated above, are passed.

Learned Senior counsel for the petitioner is in agreement with the course suggested by learned Senior counsel for respondent No.3, and submits that let this petition be disposed of, in terms of the statement made by him.

In the wake of the position sketched out above and in terms of the statements made by learned Senior counsel for the petitioner, as also respondent No.3, 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 at within the time indicated by the learned Senior counsel for respondent No.3.



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 petitioner, strictly in accordance with law.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

29.08.2024
Ak Sharma

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