



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.W.P. No. 20064 of 2024

Date of decision: 20.08.2024

M/s Durga Transformers Industries

.... Petitioner

Vs.

Punjab State Power Corporation Limited and another

.... Respondents

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

Present: Mr. Inderpreet Singh Kooner, Advocate
for the petitioner.

ARUN PALLI, J (Oral)

The petitioner (M/s Durga Transformers Industries) has prayed
for the following substantive relief:

“Civil Writ Petition under Article 226 of the Constitution of India thereby praying for the issuance of the writ order or direction especially in the nature of writ of Certiorari thereby praying for setting aside of the Clause No.4 in Notice Inviting tender dated 06.08.2024 bearing No.QW-327/PO-W Annexure P-2 being arbitrary and in gross violation of the principles of natural justice.

AND

For the issuance of the writ order or direction especially in the nature of writ of Mandamus thereby praying for issuance of directions to the Respondent nos. 1 and 2 to allow the petitioner to participate in bidding process of Notice Inviting tender dated 06.08.2024 bearing NO.QW-327/PO-W Annexure P-2, in accordance with law.

Learned counsel for the petitioner submits that prior to the
institution of this petition, the petitioner had even served the respondent



authorities with a legal notice dated August 12, 2024 (P-17), qua its concerns/grievances. But to no avail. Accordingly, he submits for the last date to submit the bids is August 21, 2024, the matter being time sensitive, the authorities ought to have responded thereto.

Served with the advance copy of the petition, Mr. Rajiv Sharma, Advocate, is present in Court, on behalf of the respondents. At the outset, on instructions, he submits, for, the competent authority is already in seisin of the legal notice submitted by the petitioner, it would be expedient, if the petition is disposed of, at this stage, to enable the respondent authorities to examine the concerns/grievances of the petitioner and pass necessary orders, in accordance with law. And, before any such orders are passed, the petitioner, through its authorized representatives, shall also be heard, and a formal communication as regards the date, time and venue shall be issued to the petitioner, well in advance. Further, he fairly submits that a formal work order shall not be issued to the successful tenderer till the necessary orders, as indicated above, are passed by the competent authority.

That being so, learned counsel for the petitioner submits that nothing substantive survives in the petition and the same be disposed of in terms of the statement made by learned counsel for the respondents.

In the wake of the position sketched out above, and in terms of the statement made by learned counsel for the parties, this petition is accordingly disposed of.

This Court is sanguine that the authority shall consider/examine the matter in the right earnest, and pass appropriate orders, assigning reasons in support thereof, as expeditiously as possible.

Needless to assert that this order shall not constitute an expression of opinion on the merits of the case of either party, for, as indicated earlier, the competent authority shall examine the grievances of the petitioner, strictly in accordance with law.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

20.08.2024
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No