



CWP-20252-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-20252-2024Date of decision: 23.08.2024

M/s Delta Corporation

....Petitioner

Versus

State of Haryana and another

....Respondents

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

Present: Mr. Ankit Bishnoi, Advocate,
for the petitioner.

ARUN PALLI, J. (Oral)

Learned counsel for the petitioner, *inter alia*, contends that the petitioner, upon being declared non-responsive/non-compliant, in terms of Clause 23.7 of the tender document, had filed objections to the decision reached by the Tender Evaluation Committee, within the stipulated time, as indicated in paragraph 12 (page 13) of the paper book, but the same have not been responded to.

Served with the advance copy of the petition, Mr. Deepak Bhardwaj, learned Deputy Advocate General, Haryana, is present in Court. At the outset, he, on instructions, submits that apparently, the technical bid submitted by the petitioner was rejected, in terms of Clause 39.3 of the tender document, which postulates, “***the bidder firm should have been in existence for a minimum period of 3 years. The Agency shall submit documentary evidence regarding their incorporation/existence.***” He draws our attention to the Bid Submission Confirmation (P-3), wherein it is clearly depicted that petitioner, which is a partnership firm, was constituted/established in the year 2022 itself. Therefore, it is urged that apparently, the petitioner-firm did not meet the eligibility criteria. Be that as it may, he submits that the competent authority has already dealt with the objections the petitioner had

submitted (*ibid*), and a formal decision, in this regard, would be communicated to it within two days from today.

That being so, learned counsel for the petitioner submits that, for the present, nothing substantive survives in this petition and the same be disposed of, in terms of the statement made by learned State counsel. However, he submits that, post receipt of the formal decision, as indicated above, the petitioner, if so advised, shall avail such other remedies, as admissible in law.

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

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

23.08.2024
Ak Sharma

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