

CWP-21526-2024

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

CWP-21526-2024**Date of decision: 17.09.2024**

The Jai Durga Co-operative L/C Society Ltd.

....Petitioner

Versus

State of Haryana and others

....Respondents

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

Present: Ms. Kashish Sahni, Advocate, for
Mr. Raghav Sharma, Advocate, for the petitioner.

Mr. Ankur Mittal, Additional Advocate General, Haryana,
Mr. Karan Jindal, Assistant Advocate General, Haryana.

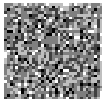
Mr. Ankur Mittal, Advocate,
Ms. Kushaldeep Kaur, Advocate,
Ms. Saanvi Singla, Advocate,
for the respondent-M.C. Rajaund.

ARUN PALLI, J. (Oral)

With reference to our order dated 10.09.2024, an affidavit by the Joint Director, Urban Local Bodies, Haryana, on behalf of respondent No.1, filed in Court today, is taken on record. Copy furnished.

At the outset, learned Additional Advocate General, Haryana, refers to the averments set out in paragraphs 6 and 7 of the said affidavit and submits, for the subject tender, as also the process that was carried out, pursuant thereto, has since been scrapped, nothing substantive survives in the petition and the same is rendered infructuous. Further, he submits that as observed by the competent authority in its inquiry report/order dated 13.09.2024, a fresh tender for the work in question would be issued with alternate arrangement, in the interregnum:-

“6. The above said same tender was cancelled twice. Moreover, the concerned officials failed to explain their position with regard to cancellation of the same tender invited at 1st and 2nd time without any specific



reason, which amounts to violation of rules on the part of M.C. officials.

7. The representative of Jai Durga Co-op L&C Society Ltd. who was present at the time of hearing also raised written objection that all the members of society upto tender Rs.50.00 Lacs must be Scheduled Cast whereas the list of society members submitted by the White Land Co-op L & C Society Ltd. is fake and member mentioned in list of society members at Sr. No.5 and 12 didn't belong to SC Category. The report regarding verification of list of society members may be taken from the Assistant Registrar, Cooperative Societies, Kaithal being competent authority.

In view of the above said facts, it has been revealed that the proper process according to Govt. Instructions issued from time to time has not been followed by the Municipal Committee, Rajound before awarding the work order. It is a gross negligence on the part of the concerned officials of the Municipal Committee, Rajound and undue advantage has been given to a particular agency. It is proposed that work order issued vide no.1037/MCR dated 14.06.2024 may be considered as cancelled by the competent authority after scheduling afresh tender process with alternate arrangements, so that the public may not suffer.”

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 affidavit (*ibid*).

Ordered accordingly.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

17.09.2024
Ak Sharma

Whether speaking/reasoned	Yes
Whether reportable	Yes/No