



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.20785 of 2024 (O&M)
Date of Decision :27.08.2024

The Nehra Cooperative L & C Society

.....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.

Mr. Ankur Mittal, Addl. Advocate General, Haryana with
Ms. Kushaldeep Kaur, Advocate and
Ms. Saanvi Singla, Advocate.

ARUN PALLI, J. (Oral):

Petitioner (The Nehra Cooperative L & C Society) has prayed for
the following substantive relief:-

“Civil Writ Petition under Articles 226/227 of the
Constitution of India praying for the issuance of an
appropriate Writ, in the nature of Certiorari for quashing
the Bidding Analysis Report dated 21.08.2024 (Annexure P-
10).

AND

Further praying for issuance of a Writ, in the
nature of Mandamus directing the Respondent No.2
department to consider the financial bid of the petitioner for
the present tender, as being a fully eligible and qualified
bidder and thereafter allot the work to the successful
bidder.”



Learned counsel for the petitioner submits that the Municipal Corporation/Urban Local Bodies, had invited tender for Supply and planting Trees and Shrubs at various Parks, Ponds, Green Belts and Avenues side plantation in Zone-III under Municipal Corporation, Gurugram. And accordingly, the petitioner had submitted its bid. However, for, vide Bidding Analysis Report dated 21.08.2024 (P10), the petitioner was declared non-responsive/non-compliant, it is before this Court. He submits that per clause 23.7 of the bid documents, the participant(s)/bidder(s), who are disqualified, have the option to file objections/representation against the said decision within 7 days of they being declared non-responsive. Therefore, he submits that petitioner had filed objections/representation dated 26.07.2024 (P6), against the decision of the competent authority. But to date, no order has been passed thereon by the respondents-authority.

Served with the advance copy of the petition, Mr. Ankur Mittal, Additional Advocate General, Haryana, is present in Court for the respondents. At the outset, he has shared with us a copy of the decision dated 08.08.2024, addressed to the petitioner, which is retained on record as Mark-X, vide which, the objections/representation submitted by the petitioner was dealt with and the reasons, for which it was held ineligible, were duly indicated:-

“.....The reasons of disqualification are as under:-

As per the term and condition the tender/DNIT at page no. 32 the agency/L&C Society must submit online following documents along with others as specified in this bid document:-

- (i) The copy of registration of society from competent authority.**
- (ii) The attested copy of the resolutions by inspector/registrar L&C Societies.**



After perusal of your technical bid it is found that your society comes under the jurisdiction of L & C Society Meham. So, you should have submitted the attested copy of the resolution from the inspector L & C Society Meham. But you have attached the resolution copy which was attested from sub-inspector L & C Society Rohtak. Which was not valid and which was also got verified from the inspector of L & C Society Meham by this office. (Copy attached).

Further, you have also objection on the condition no. 39 (4) which relates to PERT chart etc. You have also not attached PERT chart etc. In technical bid therefore, your and other agency which are not attached PERT chart has been disqualified.

Therefore, due to above said reason, your agency is disqualified in the technical evaluation.”

Faced with this, learned counsel for the petitioner submits that he be permitted to withdraw the petition to enable the petitioner to assail the order dated 08.08.2024, if so advised.

Dismissed as withdrawn with liberty, prayed for.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

27.08.2024
Manoj Bhutani

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