



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-23080-2024(O&M)
Date of decision: 12.09.2024

The Gouran Gate Co-Operative Society Limited
... Petitioner
Versus
State of Punjab and others
... Respondents

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

Present: Mr. Krishan Singh Dadwal, Advocate,
for the petitioner.
Mr. Anurag Chopra, Addl. Advocate General, Punjab.

ARUN PALLI, J. (Oral)

A certiorari is prayed for, to quash the communication dated September 2, 2024, issued by Executive Engineer, Gurdaspur, Canal and Ground Water Division, WRD Punjab (respondent No.4), vide which the Contract, dated March 1, 2024, entered into between the parties, has since been cancelled.

Learned counsel for the petitioner submits, the petitioner having been declared responsive and adjudged L1, was assigned the Contract for Rehabilitation, Renovation and Modernization of Shahpurkandi Channel No.4 (Phase-I). Per the terms and conditions, he was required to commission the work on March, 1, 2024 and execute the contract within four months, i.e. upto May 31, 2024. But, the case of the respondents is that since the work was not started on time, and no significant progress was made on ground, the Contract was cancelled. However, it is urged, for the petitioner had already executed more than 45% work, if permitted, he will complete the work at site without any further delay.

Served with the advance copy of the petition, Mr. Anurag Chopra, learned Additional Advocate General, Punjab is present in Court on behalf of the respondents. At the outset, he submits that although, the petitioner has not chosen to append the complete Contract with the petition, but the terms and



conditions of the Standard Bid Document (SBD), particularly Clause 25, envisage a Dispute Resolution Mechanism. And, therefore, in the given circumstances, it would rather be expedient, if the petitioner invokes the said clause, for redressal of his grievances.

That being so, learned counsel for the petitioner submits that the petitioner would move the necessary application, invoking clause 25 (**ibid**), for amicable resolution of the dispute, within a week from today.

To which, learned Additional Advocate General, Punjab submits that in the event, any such representation/application is moved by the petitioner, the same shall be dealt with at the earliest. And necessary orders, in accordance with law, shall be passed, within four weeks therefrom.

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

(Arun Palli)
Judge

(Vikram Aggarwal)
Judge

12.09.2024
Rajan

Whether speaking / reasoned:	YES/NO
Whether Reportable:	YES/NO