

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.30462 of 2024
Date of Decision: 12.11.2024.

Shalimar Plastic Industries

....Petitioner

Versus

State of Punjab and others

....Respondents

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

Present: Mr. Amit Jhanji, Senior Advocate with
Mr. Himanshu Arora, Advocate
for the petitioner.

Mr. Jastej Singh, Deputy Advocate General. Punjab.

VIKRAM AGGARWAL, J.

1. The petitioner (Shalimar Plastic Industries) prays for the issuance of a writ of *certiorari* quashing the Notice Inviting Tender (NIT) dated 23.09.2024 (Annexure P-12) issued by the Punjab State Grains Procurement Corporation Limited (PUNGRAIN) (Respondent No.4) for the purchase of Rs.1,20,000/- Multi Layered Cross Laminated Tarpaulins (MLCL Tarpaulins) for storage of paddy during KMS 2024-25 (Kharif Marketing Season) on behalf of all State Procurement Agencies in the State of Punjab under the two bids system.
2. At the outset, learned Senior counsel representing the petitioner submits that the present case is covered by the judgment and order dated 11.11.2024 passed by this Court in CWP No.28044 of 2024 titled as Dhanshree Agro Poly Products Vs. State of Punjab and others and CWP No.30398 of 2024 titled as M/s Climax Synthetics Private Limited Vs. State

of Punjab and others and that the instant writ petition be also disposed of in the same terms.

3. Sh. Jastej Singh, Deputy Advocate General, Punjab, submits upon instructions that though the State of Punjab stands by a part of the statement given by the learned Advocate General Punjab in CWP No.28044 of 2024 and CWP No.30398 of 2024, to the effect that if the petitioner is exonerated in the inquiry, the supply of 4500 Tarpaulins for which work order had been issued to the petitioner will be accepted provided the petitioner is willing to supply the same as per the rates mentioned in the work order, it is not in a position to state that even as regards the present tender for KMS 2024-25, the work orders will be issued after deducting 4500 Tarpaulins from the same. Leaned counsel, therefore, submits that he has instructions only to State that if the petitioner is exonerated in the inquiry, the supply of 5000 Tarpaulins for which work order had been issued to the petitioner will be accepted provided the petitioner is willing to supply the same as per the rates mentioned in the work order. He, however, states that this offer is also of course subject to the condition that the petitioner does not lay challenge to the current NIT which has been challenged in the present writ petition so that the respondents can finalize the same.

4. Learned Senior counsel representing the petitioner states upon instructions that the petitioner is agreeable to the aforesaid course suggested by learned Deputy Advocate General, Punjab, and submits that the writ petition be disposed of in terms of the aforesaid statement. He further submits that in view of the statement given by learned Deputy Advocate General, Punjab, the petitioner would not press the instant writ petition.

5. The writ petition is accordingly disposed of in terms of the statements given by learned counsel for the parties binding them to the same.

This Court is sanguine that the competent authority shall deal with the matter in accordance with law. However, nothing observed hereinbefore shall be construed to be an opinion on the merits of the case.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

November 12, 2024
Rekha

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