



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

CWP-31244 of 2024

Date of decision: 20.11.2024

M/s Rakesh Garg and Company

....Petitioner

Versus

State of Punjab and others

....Respondents

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

Present: Ms. Himani Jamwal, Advocate, for the petitioner.

ARUN PALLI, J. (Oral)

The petitioner (M/s Rakesh Garg and Company) has prayed for the following substantive relief:

“Civil Writ Petition under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus for the issuance of directions to the Respondent No.2 to decide the Appeal dated 01.10.2024 (Annexure P/2) preferred under Clause 17 of “The Punjab Foodgrains Labour and Cartage Policy- 2024” (Annexure P/1) in a time bound manner, in the interest of justice, equity and fair play;

AND

For the issuance of writ in the nature of Mandamus restraining the Respondent No.3 from finalizing the Tender in furtherance to “The Punjab Foodgrains Labour and Cartage Policy-2024” (Annexure P/1) for appointment of Labour and Cartage Contract at Center PEG Godown Soma-1, District Sri Muktsar Sahib till the time the appeal of the Petitioner is not adjudicated upon in the interest of justice, equity and fair play.”

Learned counsel for the petitioner submits that the limited grievance that the petitioner has is: even though an appeal, under Clause 17 of the Punjab Foodgrains Labour and Cartage Policy, 2024 has been preferred by the petitioner on 01.10.2024 (P-2), but the same has not



been decided to date. In fact, the matter was first listed on 22.10.2024, but hearing was postponed owing to administrative reasons. Thereafter, it was fixed for 05.11.2024, but again postponed to 13.11.2024. Further he submits that even on the appointed date, the matter was not heard and the next date is yet to be notified. Thus, this petition.

Served with the advance copy of the petition, Mr. Vipin Pal, learned Additional Advocate General, Punjab, is present in Court. At the outset, he submits, for the appeal is fixed for 22.11.2024 the Authority shall make every possible endeavour to consider and decide the same on the date fixed. And, if for any plausible reason/cause, it is not feasible to decide the matter on the appointed date, then, at best, it shall be decided within a week therefrom by passing necessary orders, in accordance with law, and the same shall be communicated to the petitioner. He submits that before any such orders are passed, the petitioner shall also be heard.

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 statement made by learned State counsel.

The petition is accordingly disposed of, in terms of the statements made by learned counsel for the parties.

However, if the matter is not decided within the period indicated above, the petitioner shall be at liberty to move a necessary application in this petition itself for its restoration and appropriate orders.

Needless to assert that this order shall not constitute any expression of opinion on the merits of the case of either party, for, as indicated above, the competent authority shall examine the concerns/grievances of the petitioner, strictly in accordance with law.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

20.11.2024
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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No