

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

CWP-29504-2023

Date of decision : 05.01.2024

M/s Brar Godowns

.....Petitioner

Versus

The Punjab State Grain Procurement Corporation Limited (PUNGRAIN)

....Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI, ACTING CHIEF JUSTICE
HON'BLE MS. JUSTICE NIDHI GUPTA

Present: Mr. Navinderjit Singh Dandiwal, Advocate,
for the petitioner.

Mr. Manbir Singh Bath, Advocate,
for the respondent.

RITU BAHRI, ACTING CHIEF JUSTICE (Oral)

1. By way of this writ petition, the petitioner is seeking quashing of order dated 30.11.2023 (Annexure P-4) passed by the respondent, whereby two tenders of the petitioner have been rejected.

2. The short question for consideration in the present petition is whether the petitioner, who owns approximately 27 Kanals of land, is eligible for allotment of the godown, which requires storage capacity of 5800 M.T.

3. Learned counsel for the respondent, who has put in appearance on the strength of advance copy, submits that as per Clause K (at page 40 of the paper-book) of Schedule-I annexed with e-tender dated 31.05.2023 (Annexure P-1), approximately 2.0 acres of land would be required for conventional type storage godowns of first 5000 M.T., and

further 1.70 acres of additional land would be required for an increase of 5000 M.T. capacity godown each.

4. In the present case, total required storage capacity of godowns is 5800 M.T., and as per Clause K (at page 40 of the paper-book) of Schedule-I annexed with e-tender dated 31.05.2023 (Annexure P-1), about 30 Kanals of land would be required for the same. Since the petitioner is having only 27 Kanals of land, therefore, he is short of 3 Kanals of land. This condition of land requirement for conventional type storage godowns cannot be waived or revised. Hence, the petitioner, who has applied for two godowns in Moga sub-division, has no right to be considered for allotment of the godowns. Since he is not fulfilling the eligibility criteria of having sufficient land, his tenders have been rightly rejected by the respondent vide the impugned order dated 30.11.2023 (Annexure P-4), which does not require any interference by this Court.

5. Petition stands dismissed.

(RITU BAHRI)
ACTING CHIEF JUSTICE

(NIDHI GUPTA)
JUDGE

January 05, 2024
ndj

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