

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

CWP-29467-2023

Date of decision: 15.02.2024

OASYS Cybernetics Pvt. Ltd.

....Petitioner

Versus

State of Punjab and others

....Respondents

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

Present: Mr. Nitin Kaushal, Advocate,
for the petitioner.

Mr. Shekhar Verma, Additional Advocate General, Punjab.

Ms. Deepali Puri, Advocate, for respondent No.2.

ARUN PALLI, J. (Oral)

On January 05, 2024, a Coordinate Bench had passed the following order:-

“The grievance of the petitioner Company is that its representation dated 11.11.2023 (Annexure P-19) has not been decided so far. The further grievance of the petitioner Company is that respondent No.2 Company, though was not eligible to participate in the first tender, was declared L1.

Learned Senior Deputy Advocate General, Punjab, submits that the first tender was withdrawn.

The grievance of the petitioner is that before withdrawing the first tender, the respondent – State had issued a show cause notice to the petitioner Company and now they have issued it a warning. However, the petitioner is not at fault any stage. It only pointed out the ineligibility of respondent No.2. Aggrieved by issuance of the warning, the petitioner has submitted representation dated 11.11.2023 (Annexure P-19), which has not been decided till date.

Learned Senior Deputy Advocate General, Punjab, seeks time to file status report after deciding the

*aforesaid representation dated 11.11.2023 (Annexure P-19) by the authorities.
List on 15.02.2024.”*

Concededly, neither the status report has been filed, nor any order on the representation of the petitioner, in terms of the order referred to above, has been passed to date.

Faced with this, learned State counsel, on instructions from Dr. Anjuman Bhaskar, Additional Director, Food & Civil Supplies, submits that in the given circumstances, it would be expedient if this petition is disposed of, at this stage, to enable the competent authority (Administrative Secretary), to not only comply with the order extracted above, but also hear the petitioner, before its representation dated 11.11.2023 (P-19) is decided. Further, he submits that necessary orders, in accordance with law, shall be passed within a period of two weeks from today.

Learned counsel for the petitioner is in agreement with the course suggested by learned State counsel and submits that let this petition be disposed of, in terms of the statement made by him.

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

This Court is sanguine that the authorities shall look into the matter in the right earnest. And the appropriate orders shall be passed within the time indicated by the learned State counsel.

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

15.02.2024
Ak Sharma

Whether speaking/reasoned	Yes
Whether reportable	Yes/No