

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

CWP-10044-2025(O&M)
Date of decision: 07.04.2025

M/s Namwal Co-Operative Labour and Construction Society Ltd.

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI
HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

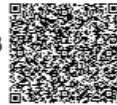
Present: Mr. Chanderhas Yadav, Advocate,
for the petitioner.

Mr. Shivendra Swaroop, DAG, Haryana.

ARUN PALLI, J. (Oral)

Petitioner (M/s Namwal Co-Operative Labour and Construction Society Ltd.) prays for a Certiorari to set aside the order dated March 28, 2025 (P-6), whereby the petitioner was disqualified for being non-responsive as regards Mandi Kosli (District Rewari), for it failed to upload the undertaking by way of affidavit that the firm was/is not blacklisted.

Learned counsel for the petitioner submits that another participant-bidder, namely, Anil Kumar Maggu, was permitted to furnish the said affidavit much later to enable him to participate in the tendering process. Resultantly, the petitioner too moved the respondent-authorities vide a representation dated March 28, 2025 (P-7), to enable him to furnish the required affidavit. And the said representation was accepted by the Director, Food, Civil Supplies & Consumer Affairs, Haryana (respondent No.2), vide order dated March 31, 2025. Accordingly, the District Food and Civil Supplies Controller, Rewari, was directed to consider the technical bid(s) of the petitioner for Mandi Labour Cartage (MLC) and Mandi Transport Cartage (MTC) in District Rewari. He submits that the limited grievance the petitioner has is that, pursuant to the order dated March 31, 2025 (**ibid**), the bids of the



petitioner for Mandi Rewari and Bawal have been accepted, but not for Mandi Kosli.

Served with the advance copy of the petition, Mr. Shivendra Swaroop, learned Deputy Advocate General, Haryana, is present in Court on behalf of the respondents. It is submitted that, post rejection of the petitioner's technical bid, the earnest money has since been refunded. And, since the price bids of the qualified bidders have been opened, even the lowest tenderer has also been determined. Though the work order has not yet been issued. However, with reference to Anil Kumar Maggu, who alleged to have failed to furnish the required affidavit in time, is misconceived. Be that as it may, he submits, for the present, the petition be disposed of to enable the respondent-authorities to deal with the concerns/ grievances of the petitioner as sought to be raised in the petition, and pass appropriate orders in accordance with law. He submits that before any such orders are passed, the petitioner shall be afforded a hearing, for which a formal communication shall also be issued well in advance. He fairly submits that till any formal orders are passed, the work order shall not be released/issued to the successful tenderer.

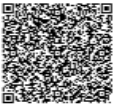
That being so, learned counsel for the petitioner submits that let the petition be disposed of in terms of the statement made by learned State counsel. However, he submits that as a considerable time has elapsed, the authorities be directed to take a decision within a specified time.

In response, learned State counsel submits that necessary orders shall be passed within a period of two weeks from today.

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.

This Court is sanguine that the respondent-authority shall consider/examine the matter in the right earnest, and as submitted by learned State counsel, would pass the necessary orders within the stipulated period.

However, it is made clear 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

(Sudeepti Sharma)
Judge

07.04.2025
Rajan

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