



CWP-10754-2025

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

**CWP-10754-2025
Date of Decision: 15.04.2025**

M/s M.G. Launderers

..... Petitioner

Versus

State of Haryana and others

..... Respondents

**CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI
HON'BLE MR. JUSTICE SUMEET GOEL**

Present: Mr. Ashish Arora, Advocate
for the petitioner.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present writ petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of *mandamus* for directing the respondents to decide the claim of the petitioner/firm, raised vide representation dated 24.02.2025 (Annexure P-5) regarding further extension of 'Period of Contract' for one year further, as in terms of the Tender Document dated nil (Annexure P-6) wherein sole criteria for extension is the satisfactory performance, which has been meticulously performed by the petitioner/firm vide Performance Certificate dated 05.02.2025 with further prayer to issue a direction to the respondent not to act upon the Tender Document dated 04.04.2025 (Annexure P-1) without deciding the claim of the petitioner.



2. Learned counsel for the petitioner submitted that it is a case where the petitioner was allotted a tender for a period of one year in terms of the award letter dated 22.07.2024 vide Annexure P-3 in which it has been so mentioned that it will be for a period of one year i.e. w.e.f. 01.12.2023 to 30.11.2024 and submitted that thereafter, the respondents did not permit the petitioner to continue with the work and vide Annexure P-2, revised period of one year was granted to it which was w.e.f. 22.07.2024 to 21.07.2025 and submitted that the aforesaid period which has been so mentioned vide Annexure P-2 was the first year of tenure and it was not an extended period. He also submitted that the aforesaid expression '*revised period*' which has been so stated was with regard to no such work having been allotted to the petitioner earlier.

3. Learned counsel for the petitioner further submitted that as per the terms of 'Period of Contract' which have been so stipulated vide Annexure P-6, there is a provision under the heading of 'Period of Contract' that the period of contract will be for one year but the same can also be extended on the same terms and conditions on the basis of satisfactory performance for another year after getting it approved from the DMER Office. He also submitted that now the respondents have already invited fresh tenders for the next year but the petitioner has a right to be at least considered for the extension of one year, regarding which, it has moved an application/representation vide Annexure P-5 dated 24.02.2025, but no action has been taken on the same. He further submitted that its right of being at least considered cannot be taken away in view of the aforesaid term.

4. Notice of motion to respondents No.1 & 2 only at this stage.



5. On the asking of the Court, Mr. Arjun Lakhanpal, Addl. A.G., Haryana, who is present in Court, accepts notice on behalf of respondents No.1 & 2 and states that since the learned counsel for the petitioner has limited the scope of the present petition only to the extent of considering and deciding its application/representation (Annexure P-5) in accordance with law and within the stipulated period, he has no objection in case any such direction is issued in this regard by making any time framework.

6. We have heard the learned counsels for the parties.

7. The only limited prayer of the petitioner is that in terms of the notice inviting tender the petitioner had a right to be considered for another term subject to satisfactory performance and subject to the discretion of the concerned authorities and its only limited prayer is that its application which has been moved on 24.02.2025, has not even been considered and processed but at the same time the respondents have already invited the tenders, regarding which, the bids are yet to be opened. Therefore, this Court is of the considered view that it will be in the interest of justice to direct respondent No.2 to consider and decide the aforesaid application/ representation moved by the petitioner vide Annexure P-5 strictly in accordance with law before finalizing the fresh tender which has been floated.

8. Needless to say that the aforesaid application has to be decided by passing a speaking order and with due application of mind after giving an adequate opportunity of hearing to the petitioner through its representative before finalizing the fresh tender and the same shall be conveyed to the petitioner.

9. The present petition stands disposed of.

(JASGURPREET SINGH PURI)
JUDGE

15.04.2025
Bhumika

(SUMEET GOEL)
JUDGE

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| 1. Whether speaking/reasoned: | Yes/No |
| 2. Whether reportable: | Yes/No |