



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

CWP No.26411 of 2025

Date of Decision: 05.09.2025

Rajiv Kumar

...Petitioner

Versus

State of Punjab and others

...Respondents

**CORAM: HON'BLE MRS. JUSTICE LISA GILL
 HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA**

Present:- Mr. Sunny K. Singla, Advocate
 for petitioner.

Mr. R.S. Pandher, Addl. A.G., Punjab.

LISA GILL, J.(Oral)

1. Prayer in this writ-petition is for setting-aside order dated 27.08.2025, whereby technical bid submitted by petitioner pursuant to tender notification No.DSWC/HSP/2025-26/07 has been rejected.
2. Tenders had been invited by respondents for the work of “Construction of Stone Masonry Water Recharging and Wire Crate Structures” in District Hoshiarpur. It is pleaded that petitioner, a registered government contractor of repute, submitted his bid along-with all mandatory documents including Solvency Certificate, Machinery List, Man Power Details, Income Tax Returns, Bid Capacity Certificate, Undertaking and Self-Declaration Certificate etc. Prior to evaluation order, petitioner received communication dated 20.08.2025 from the office of Divisional Land Conservation Officer, Hoshiarpur, seeking verification in respect to address



of petitioner and Gouran Gate Co-operative Labour and Construction Society Limited by 21.08.2025. It is stated that petitioner, in response thereto, filed a detailed clarification dated 20.08.2025. However, upon technical evaluation, respondents, in an illegal manner, rejected petitioner's technical bid vide order dated 27.08.2025 with the remark "documents found short and incorrect".

3. Learned counsel for petitioner submits that rejection is by way of a totally non-speaking intimation to the effect that documents were found short and incorrect. Learned counsel also submits that pursuant to intimation dated 20.08.2025 to petitioner, he has submitted the necessary clarification on 20.08.2025 itself (Annexure P-4). Petitioner, it is stated, had explained his resignation from Gouran Gate Co-operative Society and clarified that his only link with said society is that of landlord and tenant. All relevant documents were with respondents. Thus, rejection of its technical bid on the ground of documents being found short and incorrect without giving any detail of such documents is illegal and arbitrary.

4. Learned counsel for State, on advance notice, submits that petitioner has concealed material facts. In addition to communication dated 20.08.2025 which is attached along-with the writ-petition as Annexure P-2, he has not attached another communication of even date sent to him, whereby following documents had been sought:-

- "1. Solvency Certificate (As per Form No.3 of DNIT)*
- 2. Audit Statements of last 3 years*
- 3. Bid Capacity Certificate (As per Form No.8 of DNIT)*
- 4. List of works completed/ongoing/awarded as per Form*



No.5 of DNIT

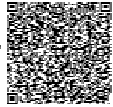
5. Declaration of Bidder (As per Form No.1 of DNIT)

6. List of machinery (As per Form No.6 of DNIT)

7. List of essential man power (As per Form No.7 of DNIT)”

5. Petitioner, in response to said communication, did not submit audit statement of last three years and submitted the same for only two years. Bid Capacity Certificate was not submitted in Form-8 and list of works completed/ongoing or awarded was also not supplied as per format of Form-5. It is in this factual-matrix that technical bid submitted by him was rejected with documents being short and incorrect. It is submitted that petitioner has tried to mislead the Court by concealing material facts as above by projecting that no detail of required documents was ever given to petitioner. Therefore, writ-petition should be dismissed on this ground itself.

6. Having heard learned counsel for parties, we do not find any ground to cause interference in this writ-petition in exercise of jurisdiction under Article 226 Constitution of India. It is undeniable that petitioner has submitted only one of the communications dated 20.08.2025 sent by respondents for seeking a clarification. Other communication also dated 20.08.2025 issued to the petitioner as well as his response of even date which has not been attached with this petition, have been produced in Court by learned counsel for State; same are taken on record, subject to just exceptions. It is specifically mentioned in this communication dated 20.08.2025 that documents as have been detailed in fore-going paras, should be supplied by petitioner. It is apparent that such communication was indeed issued to petitioner because in the present writ-petition itself,



petitioner has attached certain documents dated 21.11.2024. It is apparent that the required documents, which were found to be short, were clearly specified and necessary shortcoming was not made good by petitioner due to which his technical bid had been rejected.

7. No other argument was raised. Learned counsel for petitioner is unable to point out any illegality or arbitrariness in the action of respondents in rejecting technical bid submitted by petitioner. Keeping in view the facts and circumstances as above, we do not find any ground which calls for interference in this matter.

8. In the given factual-matrix, this writ-petition, being devoid of any merit, is dismissed.

(LISA GILL)
JUDGE

05.09.2025
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(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*