

2026:PHHC:013878-DB



206-a

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

CWP-11005-2025

Date of Decision: January 30, 2026

Dinesh Kumar

.....Petitioner

Versus

Union of India and others

..... Respondents

**CORAM:- HON'BLE MRS. JUSTICE LISA GILL
HON'BLE MR. JUSTICE RAMESH CHANDER DIMRI**

Present: Mr. Anurag Chopra, Advocate and
Mr. Harmeet Singh, Advocate for the petitioner.

Mr. Sandeep Singh Ghangas, Advocate for respondent No. 2

Mr. Pranav Chadha, Advocate for respondent No. 3.

LISA GILL, J.

1. Prayer in this writ petition reads as under:-

- “i) Issue an appropriate writ, order or direction especially in the nature of certiorari mandamus directing the Respondent. Nos. 2 and 3 to collectively permit the Pensioner to submit its Bid in pursuance to the Notice Inviting Tender dated 19.02.2025 (Annexure P/20) for being appointed as the HTC at FCI, Malerkotla Center qua which on account of the encumbrance created by the Respondent No. 2, the Petitioner was unable to participate in the said process and in spite of the directions issued by this Hon'ble Court vide Order dated 14.02.2025 (Annexure P/22) which had not been complied with in time, the substantial right of the Petitioner to participate in the contract has been violated, in the interest of justice, equity and fair play;
- ii) Issue writ, order or direction in the nature of Mandamus directing the Respondent Nos.2 and 3 to accept the technical bid to be submitted by the Petitioner in pursuance to the Letter dated 07.04.2025 (Annexure P/25) whereby the GeM account of the

Petitioner has been activated by the Respondent No. 2 at a belated stage thus, curtailing the substantial right of the Petitioner to participate in the said contract, in the interest of justice, equity and fair play;

iii) Issue writ, order or direction in the nature of Mandamus directing the Respondent No. 3 not to process the financial bids of any of the Homes Technically Qualified Bidders which has not been done on the date of filing of the present writ petition, in the interest of justice, equity and fair play:

iv) Issue any other order or direction which in the facts and circumstances of the case, this Hon'ble Court deems fit and proper be also passed in favour of the petitioner,

v) Dispense with the issuance of advance notices;

vi) Dispense with the filing of certified copies of all Annexures;

vii) Permit the Petitioner to place on record the photocopies of all Annexures;

viii) Award the cost of the petition in favour of the petitioner.”

2. Learned counsel for respondents point out that Notice dated 19.02.2025 inviting tender for ‘Handling, Transport and other Mining Services – Percentage quote based – Handling & Transport Service, Regular HTC Malerkotla TE 19022025’ was scrapped and fresh tender was floated on 19.06.2025. Petitioner’s account had been activated on 12.06.2025, therefore, he was at liberty to participate in the fresh tender so floated.

3. Learned counsel for respondent – FCI submits that petitioner did not participate in second tender so floated on 19.06.2025 and this tender was awarded to another entity i.e. M/s Jagdambey Food Agro Company, on 09.09.2025. It is submitted that this writ petition is rendered infructuous.

4. Learned counsel for petitioner while not denying scrapping of tender dated 19.02.2025 and non-participation of petitioner in subsequent tender issued on 19.06.2025, submits that controversy in respect to FCI may not survive in writ petition, but its grievance qua action taken by respondent No. 2

i.e. M/s GEM Portal in freezing/suspending petitioner's account in an illegal and arbitrary manner still subsists. Learned counsel for petitioner, however, fairly states that suspension of petitioner's account on GEM Portal on earlier occasion had been challenged in CWP-12313-2024 in which notice of motion was issued on 23.05.2024 (Annexure P-13) and this writ petition is still pending adjudication.

5. Learned counsel for petitioner is unable to deny that in the given factual matrix there is indeed no justification for continuation of present proceedings.

6. Writ petition is, accordingly, disposed of as infructuous with liberty to petitioner to raise all available pleas before learned Single Bench in the pending proceedings and avail any other remedy as may be available to it in accordance with law.

(LISA GILL)
JUDGE

(RAMESH CHANDER DIMRI)
JUDGE

January 30, 2026
Rts

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