



CWP-36218-2025 (O&M) -1-

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

120+243

CWP-36218-2025 (O&M)
Date of Decision : 04.02.2026

JAGDISH LAL

.... PETITIONER

V/S

STATE OF PUNJAB AND OTHERS

.... RESPONDENTS

CORAM : HON'BLE MRS. JUSTICE LISA GILL

HON'BLE MR. JUSTICE RAMESH CHANDER DIMRI

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

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

Mr. M.L.Saggar, Sr. Advocate with
Ms. Armaan Saggar, Advocate
for respondent No.4.

LISA GILL, J. (Oral)

1. Grievance raised by petitioner in this matter is that when order dated 02.12.2025, whereby second appeal of respondent No.4 was allowed and order conveyed to petitioner, present writ petition was prepared immediately and a mention for urgent listing was made. Respondent No.4 had challenged rejection of its technical bid submitted for Cluster-I, Ludhiana. It is submitted that peculiarly an amended order of same number and date was conveyed subsequently to the petitioner on 03.12.2025 with a



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variation which is extremely material and relevant though the ultimate decision in favour of respondent No.4 remained the same.

2. Learned counsel for petitioner submits that technical bid submitted by respondent No.4 for Cluster-I, Ludhiana under Clause 4D of the Policy was rejected. Appeal was filed by respondent No.4 which was dismissed by the first Appellate Authority on 25.11.2025. Second appeal filed by respondent No.4 was allowed by Second Appellate Authority on 02.12.2025. In Para 5 thereof, it is observed as under :-

*“With respect to the objections raised by the L-1 bidder regarding the CIBIL score and shortfall in truck capacity, it is observed that these grounds were not relied upon by the DTC In the Impugned order and, therefore, do not constitute the original basis for rejection. In any event, upon examination, it is clear that the "-1" score appears only in the CIBIL-MFI Credit Information Report, while the appellant has submitted a CIBIL score of 743 that is duly stamped by the bank. Accordingly, this objection is untenable. Regarding the allegation of overlapping and utilisation of trucks, it is observed that Clause 5(A) does not bar a truck from being listed in multiple bids, and that overlapping cannot be a ground for rejection as long as the vehicle documents are valid and verifiable at the time of technical evaluation **and tender has not been awarded to other bidders using the same trucks**. Therefore, the said objection is also unsustainable.*

(Emphasis added)”

3. However, in the amended order dated 02.12.2025, the line **“tender has not been awarded to other bidders using the same trucks”** was



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deleted. It is the case of petitioner that such a variation could not have been made by Second Appellate Authority who was rendered functus officio after passing of order on 02.12.2025.

4. Learned counsel for respondents No.1 to 3 on instructions from Mr. Shahid Ali, Inspector O/o Director, Good, Civil Supplies and Consumer Affairs, Punjab, Chandigarh, submits that order dated 03.12.2025 be deemed to be withdrawn while giving liberty to Second Appellate Authority to pass fresh order after affording due opportunity of hearing to the parties in accordance with law.

5. In view of the specific stand taken on behalf of official respondents, this writ petition is disposed of accordingly while giving liberty to the second Appellate Authority to pass a fresh order after affording due opportunity of hearing to all concerned within two weeks. Needless to say, parties would be at liberty to agitate all the grounds available to them in accordance with law.

6. Pending misc. application(s), if any, shall also stand disposed of.

(LISA GILL)
JUDGE

(RAMESH CHANDER DIMRI)
JUDGE

04.02.2026
anju

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