

5

For Private Use
Copy to
Registrar
Section
Lahore High Court
Lahore

Form No: HCJD/C-121
ORDER SHEET
IN THE LAHORE HIGH COURT LAHORE
JUDICIAL DEPARTMENT

Case No. Writ Petition No. 22971 of 2021.

Radiant Medical Private Limited **Versus** Infrastructure Development Authority, etc.

S. No of order /proceedings	Date of order of proceeding	Order with signature of Judge, and that of Parties or counsel, where necessary
-----------------------------	-----------------------------	--

06.04.2021	Mr. Amir Saeed Rawn, Advocate for the petitioner. Barrister Hassan Khalid Ranjha, Assistant Advocate General Punjab, on Court's call.
------------	--

Petitioner has assailed order dated 16.03.2021 passed by respondent No.1, operative part of which is reproduced hereunder:-

"7. In view of the available record of the matter and report of the Specified Officer, the IDAP Authority (Board) in its 42nd Meeting dated 16th March 2021 concluded that due process of law was fulfilled as per the PPR 2014 and the Bidder was given numerous opportunities to prove its stance, however, the Bidder has failed to submit any documentary evidence in its support. Therefore, the Bidder is delinquent as per Rule 21(1)(d) of PPR-2014.

8. Under the circumstances, as approved by the IDAP Authority (Board) the Bidder i.e. M/s Radiant medical (Private) Limited is debarred under Section 17A of the Punjab Procurement Regulatory Authority Act, 2009 read with Rule 21 and Schedule to the Punjab Procurement Rules, 2014 for a period of three (03) months from the date of issuing of this order from participation in any public procurement of IDAP advertised during this period. The Bidder may prefer a representation against this order before the Managing Director of the Punjab Procurement Regulatory Authority within thirty (30) days of this order."

2. The precise allegation against the petitioner was that he produced a fake bank guarantee, which was not issued by Bank Alfalah and as a consequence the impugned action was taken.

3. Learned counsel for the petitioner, at the outset, has referred to letter dated 11.08.2020 to submit that the process of bidding was scrapped, therefore, the bank guarantee was withheld by bank and this fact has been