

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 5110/2008 & CMA No. 9772/2008**

% DATE OF DECISION : 29th JULY, 2008

ARORA MEDICAL HALL

Through:

..... Petitioner

Mr. M.K. Bhardwaj,
Advocate

versus

UOI & ANR.

Through:

..... Respondent

Mr. Rajeev Mehra with
Mr. Sumehar Bajaj,
Advocate

CORAM:

HON'BLE MR. JUSTICE MUKUL MUDGAL

HON'BLE MR. JUSTICE MANMOHAN

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporter or not?
3. Whether the judgment should be reported in the digest?

J U D G M E N T

MUKUL MUDGAL, J: (ORAL)

Rule DB.

With the consent of the learned counsel for the parties, the petition is taken up for final hearing.

The present writ petition has been moved against the action of the respondents in not opening the commercial bid of petitioner invited vide tender document dated 11th June, 2008 for supply of medicine/drugs to CGHS dispensaries and calling fresh commercial bid for same contract only

for the groups in which the petitioner was one of the bidder.

The counter affidavit contains order dated 18th July, 2008 passed by Dr. S.N. Mishra, Dr. V.S. Rawat and Mr. Jai Prakash which reads as follows:

“With reference to the representation of M/s. Arora Medical Hall received on 09.07.08, the issue of opening of Price bid on 04.07.08 was discussed by the Price Bid Opening Committee and it was decided to open the Price Bid of M/s. Arora Medical Hall which was not opened on 04.07.08 since they are found to be technically eligible, subject to Vigilance Clearance for empanelment.

In case there is tie, fresh price bids will be opened which have already been received earlier.”

The counsel for the petitioner has objected to the vigilance clearance. But the learned counsel for the respondent clarifies that all successful bidders are required to go through the vigilance clearance for empanelment.

In the light of this, we are of the opinion that no grievance survives further.

Accordingly, the present petition stands disposed of having become infructuous.

MUKUL MUDGAL, J

MANMOHAN, J

JULY 29, 2008

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