



2026:UHC:3348-DB

HIGH COURT OF UTTARAKHAND AT NAINITAL

THE HON'BLE CHIEF JUSTICE SHRI MANOJ KUMAR GUPTA
AND

THE HON'BLE JUSTICE SHRI SUBHASH UPADHYAY

4th May, 2026

Writ Petition (M/B) 337 of 2026

MS Crystal Infrastructure

-----Petitioner

Versus

Uttarakhand Rural Roads Development Agency and others

-----Respondents

Presence:-

Mr. Sagar Kothari, learned counsel for the petitioner.

Mr. S.S.Chauhan, learned counsel for the respondent no.1 and 2.

JUDGMENT: (per Manoj Kumar Gupta, C.J.)

1. The present writ petition has been filed assailing the order dated 24.04.2026, passed by Tender Evaluation Committee, Uttarakhand Rural Roads Development Agency (respondent no. 2 herein), whereby it was recommended that since only single bidder was found responsive in part 1 of the bidding process i.e. Technical Evaluation Round, the same was not acceptable and, accordingly, a recommendation was made for re-tendering.

2. The petitioner and respondent no. 3 submitted their bids in pursuance of E-procurement notice dated 28.01.2026 issued under the Pradhan anti Gram Sarak Yojna. The Tender Evaluation Committee, as noted above, observed that in the technical round



only a single bid remained after evaluation, as the bid of respondent no.3 was found to be non-responsive, and therefore, decided to go for re-tendering.

3. The case of the petitioner is that the bid of respondent no.3 was rejected on the ground of non-responsiveness in terms of para 5 of NIT12(P-IV) 2025-26, dated 28.01.2026 read with Section 1, Clause 6.2 and Section 2, Clause 12.2(d) of the Standard Bidding Documents, which required submission of the Original Documents by the bidders. The contention of learned counsel for the petitioner is that the National Rural Roads Development Agency, vide a circular letter dated 25.01.2026, clarified that the scanned copies of the documents/affidavits would suffice and that originals were not required to be uploaded with the bid.

4. It is urged that in such circumstances, the bid of respondent no.3 was wrongly held to be non-responsive and if the said bid is treated to be responsive, there would have been two bids and thus, no impediment in proceeding to the second stage of the bidding process i.e. opening of the financial bids.

5. Undoubtedly, after the rejection of the bid of respondent no.3, the petitioner remained the sole



2026:UHC:3348-DB

bidder. It is also not in disputes that where only a single bid is found responsive, then as per the prescribed guidelines, re-tendering has to be done. Respondent no.3, whose bid has been rejected in the technical round, has not come forward to challenge the rejection of his bid. The respondents have taken decision for re-tendering as per the prescribed norms. The petitioner will also have opportunity to participate in the fresh tender process.

6. Consequently, we are of the considered opinion that no ground is made out for interference with the decision taken by the respondents.

7. The petition lacks merit and is accordingly dismissed.

8. Pending application, if any, also stands disposed of.

(MANOJ KUMAR GUPTA, C.J.)

(SUBHASH UPADHYAY, J.)

Dated: 04.05.2026
Kaushal



2026:UHC:3348-DB