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

CNR No. DLHC010224382026

+ **W.P.(C) 6864/2026 CM APPL. 33693/2026 CM APPL. 33694/2026
CM APPL. 54797/2026**

PRAKASH SUPPLY CORPORATION

.....Petitioner

Through: **Mr. Sanjay Sharma, Adv.**

versus

UNION OF INDIA & ANR.

.....Respondents

Through: **Mr Vikram Jetly, CGSC and Ms
Shreya Jetly, Adv.**

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% **31.08.2026**

1. The matter is taken up today as the date fixed, i.e. 27.08.2026 was declared a holiday vide notification no. 85/G-4/Genl.-I/DHC dated 21.08.2026.

2. This petition has been filed with the following prayers:-

“a. Issue a writ of Certiorari or any other appropriate writ, or direction quashing the impugned rejection letter/order dated 01.04.2026 passed by the respondent no.2 in GEM/2026/B/7368242;

b. Issue a writ of Mandamus directing Respondents to reconsider the Petitioner's bid/tender afresh in accordance with law and tender conditions;



c. Pass any other further order which this Hon'ble Court may deem fit and proper in the interest of justice and equity in favour of Petitioner."

3. The petition was initially listed before the Court on 18.05.2026 and the learned counsel appearing for the petitioner sought adjournment to amend the writ petition. The matter thereof was adjourned for 17.08.2026.

4. In the interregnum, the petitioner has filed an application seeking amendment of the writ petition. The prayers as made in the amended writ petition are the following:-

"a. Issue a writ of Certiorari or any other appropriate writ, or direction quashing the impugned rejection letter/order dated 01.04.2026 passed by the respondent no.2 in GEM/2026/B/7368242;

b. Issue a writ of Mandamus directing Respondents to reconsider the Petitioner's bid/tender afresh in accordance with law and tender conditions;

c. Pass alternatively an order for award compensation in respect to loss incurred to the petitioner due to the arbitrary disqualification, in accordance to the amount of tender in favor petitioner;

d. Grant any other Cost.

e. Pass any other further order which this Hon'ble Court may deem fit and proper in the interest of justice and equity in favour of Petitioner."

5. The submission of learned counsel for the petitioner is that the respondents have rejected the bid of the petitioner by stating that the documents have been checked thoroughly as per the bid verification and have been found incomplete. His submission is that no detailed reasons have been conveyed as to how the bid documents have been assessed to be incomplete.



6. He states that the only prayer made in the writ petition is that the respondents must consider the bid of the petitioner and proceed in accordance with the RFP. That apart, he submits that as per the terms and instructions issued by the GeM portal, even if the documents are deficient, opportunities shall be given to the tender bidder to complete the same, which process has not been followed in the present case.

7. Mr. Vikram Jetly, learned counsel for the respondents would submit that the present petition would not sustain at this stage, for the reason that the work for which the tender was issued i.e., supply of 4797 PT uniform (sports shoes) for defence personnel has been completed by the successful bidder and the payment thereof has been made by the respondents to the said party/bidder. In that sense, any issue raised by the petitioner is now only academic.

8. At this stage, learned counsel for the petitioner would submit that as per the prayer sought in the amended writ petition, is also for a direction for compensation in respect of loss incurred by the petitioner due to arbitrary disqualification by the respondents, the petition shall be maintainable.

9. Though such a prayer is contested by Mr. Jetly, suffice to state that as the work for which the tender has been issued has been awarded, nothing further survives in the writ petition. Surely, the petitioner if has any cause/claim it can seek such remedy as available in law.

10. At this stage, we direct that the respondents shall convey to the petitioner the clear reasons for holding the bid of the petitioner as non-responsive, within a period of four weeks.

11. We also clarify here that the plea of Mr. Jetley on the maintainability of the writ petition as it is his case that the tender was floated from the



Ordinance Depot, Avadi, Tamil Nadu and thereby, Court does not have the jurisdiction has not been gone into and left open.

12. Accordingly, the petition and the pending applications are disposed of.

V. KAMESWAR RAO, J

MANMEET PRITAM SINGH ARORA, J

AUGUST 31, 2026/sr