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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
CNR No. DLHC010388312026

% **Date of Decision : 20.08.2026**
+ **W.P.(C) 12056/2026 & CM APPL. 55947/2026**

CENTPRO ENGINEERING PVT. LTD. Petitioner

Through: Mr. Saurabh Upadhyay, Mr. Vipul
Sharma, Ms. Deepika Sharma and
Ms. Hardika, Advs.

versus

ENGINEERS INDIA LTD. & ANR. Respondents

Through: Mr. Gauhar Mirza, Mr. Kaveesh Nair
and Ms. Karshana Agarwal, Advs. for
R1.

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

V. KAMESWAR RAO, J. (ORAL)

1. The petitioner has filed this petition with the following prayers:-

"1. Issue writ of Mandamus, under Article 226 of the Constitution of India for revaluating the terms and conditions of the Tender No.JP/889-250-LZ-MR-4060/82 dated 17.06.2026 in question keeping in mind the sensitive nature of the scope of works sought to be executed and thereafter provide reasonable timelines to enable the petitioner and other bidders to bid for the works in question.

2. Issue a writ of mandamus and direct Respondent no.1 to link and upload the details of Tender No. JP/889-250-LZ-MR-4060/82 dated 17.06.2026 on the GEM portal.

3.Pass any other such order as this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case."



2. The submission of the learned counsel for the petitioner is primarily that the petitioner has not been given sufficient opportunity to bid for the subject tender issued by the respondent no.1 on 17.06.2026 for the 'Red Water Destruction Package' for the TNT Plant at High Explosives Factory (HEF), Khadki, Pune, Maharashtra of respondent No.2. He states that initially the bid due date was fixed as 08.07.2026 at 02.00 PM with bid opening at 02.30 PM on the same day. Pursuant to the pre-bid meeting and queries asked by the bidders, the petitioners had on 08.07.2026 received the requisite civil work/soil data from respondent no.1, consequent to which, the bid date was extended by seven days, i.e. 15.07.2026. On 14.07.2026, the respondent no.2 supplied the red water samples to the petitioner which were required for pilot demonstration. The bid date was further extended till 03.08.2026. On 30.07.2026, the petitioner conducted the pilot demonstration for the incineration section in presence of the team deputed by respondent no.2, successfully. On 31.07.2026, the petitioner submitted the incineration pilot demonstration report to respondent no.2. On 03.08.2026, the respondent no.2 furnished its evaluation report on the incineration pilot demonstration at about 01.05 PM barely ninety minutes before the bid due time, i.e. 02.30 PM. Hence, the petitioner was unable to incorporate the evaluation report in its bid. Resultantly, the petitioner was disabled from participating in the tender.

3. The learned counsel for the petitioner submits that the action of the respondent, despite requests made by the petitioner for extending the bid due date, was not acceded to, hence the petitioner has filed the petition.

4. On the other hand, learned counsel for the respondent no.1 would



submit that the petition is totally misconceived and untenable as the petitioner itself has to be blamed for not submitting the evaporation report on the same date when it has carried out the incineration pilot demonstration, as was done by the other bidders.

5. In this regard, he has drawn out attention to the note under Clause 3.1.2 at page no.44 of the paper book, which reads as under:-

“3. BIDDER QUALIFICATION CRITERIA (BQC):

3.1.2 xxxx xxxx xxxx

Note:

(i) Bids having demonstration report of only one section (i.e. either Evaporation section or Incineration section) will not be considered for evaluation.”

6. The above note clearly states that only one section (i.e. either evaporation section or incineration section) will not be considered for evaluation. Since the petitioner had provided the demonstration report with regard to incineration section and had not submitted the evaporation section report, which was also required to be submitted after carrying out the relevant exercise, which the other bidders had submitted, the petitioner could not submit its bid.

7. In effect, he has drawn our attention to the email of petitioner at page no.110 of the paperbook to submit that the petitioner was required to carry out the demonstration for red water evaporation system on the due date. Rather, the petitioner in the said email states that it has already submitted the incineration evaluation report and the pilot demonstration for evaporation system section would be done shortly in the month of August, hence time be extended.



8. The learned counsel for the respondents submits that bid due dates were already extended in the past and the tender being in public interest, could not have been further extended. It is in view of the fact that the petitioner could not carry out the demonstration for evaporation section, the petitioner was disabled to submit the bid in view of note under Clause 3.1.2 of the bidder qualification criteria. The action of the respondents cannot be faulted.

9. We agree with the submissions made by the learned counsel for the respondents that if the other bidders have done demonstration for evaporation section, nothing precluded the petitioner from carrying out the same on the same date i.e. 30.07.2026. Not having done that, rather sought time as fabrication of the petitioner's plant was under process, it is the petitioner itself who is responsible for its inaction and the respondents have no role to play in the petitioner not being able to submit its bid.

10. In view of the above discussion, the petition having no merit is dismissed along with the pending application.

V. KAMESWAR RAO, J

MANMEET PRITAM SINGH ARORA, J

AUGUST 20, 2026

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