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

+ W.P.(C) 5893/2014

SOJITZ CORPORATION & ORS

..... Petitioners

Through: Mr Kirat Singh Nagra and Mr Kartik Yadav

versus

DEDICATED FREIGHT CORRIDOR CORPORATION OF
INDIA LTD

..... Respondent

Through: Mr Tushar Mehta, ASG with Mr Saurabh
Mishra

CORAM:

HON'BLE MR. JUSTICE BADAR DURREZ AHMED

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

ORDER

% **13.03.2015**

CM No. 20625/2014

Mr Tushar Mehta, the learned ASG, appearing for the respondent / applicant submits that he is limiting this application to the first prayer. We have heard the learned counsel for the parties. We recall the order dated 12.11.2014.

The application stands disposed of.

W.P.(C) 5893/2014

This matter has been heard once again after the recall of the order dated 12.11.2014. After examining the merits of the matter, we are of the view that the letters dated 03.09.2014 and 04.09.2014 issued to the bank and to the petitioners, respectively, by the respondent are not in accordance with law and, therefore, they are quashed. The forfeiture will also, therefore, not stand. We may point out that the consequence of this would be that the amount which had been deposited with the

Registrar General of this court ought to be given to the petitioners. But, this has already happened because of the order dated 12.11.2014. It is open for the respondents to initiate a fresh tender process and it would be open to the petitioners to participate in it along with other eligible parties.

The writ petition is allowed to the aforesaid extent.

BADAR DURREZ AHMED, J

MARCH 13, 2015
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SIDDHARTH MRIDUL, J