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

+ W.P.(C) 4983/2016 & C.M.No.20779/2016

SUNIL YADAV

..... Petitioner

Through Mr.Joydeep Sarma, Advocate.

versus

GOVERNMENT OF NCT OF DELHI & ORS. Respondents

Through Mr.Satyakam, ASC with
Mr.Hrishikesh Jha, Advocate for
GNCTD.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

% **30.05.2016**

Present writ petition has been filed seeking a direction to respondent No.2-Delhi Technical University to issue a tender with regard to running of Group A, B and C category Mess.

It has been averred in the writ petition that in 2012, respondent No.2-University twice issued notice inviting tenders for running a Group B and C category Mess. But both these tenders were subsequently cancelled.

In the third notice inviting tender, the petitioner claims that he was declared successful, but not awarded the tender. Upon a writ petition being filed by the petitioner being W.P.(C) 5161/2012, the Division Bench of this Court recorded the statement of respondent No.2 that in the event, tender is not awarded to the petitioner, the

reasons shall be disclosed and if the petitioner is aggrieved, the petitioner can then impugn the said decision.

By letter dated 10th September, 2012, respondent No.2 officially cancelled the third tender on the ground that the prices quoted by the bidders including the petitioner were on the higher side in comparison to the Mess fees being currently charged from the students.

Learned counsel for petitioner states that till date no fresh tender has been issued by the respondent No.2. He contends that respondent No.3, a private individual, has been running Group B and C category Mess since a very long time without any verification of quality, standards and safety norms.

It is settled law that for every official activity, a tender need not be floated. In fact, it has also been held in catena of cases that the Government may for sufficient reasons not accept the lowest bid.

In the opinion of this Court, the petitioner has no legal right to be awarded a right to run the Mess as repeated tenders have only led to submissions of very high bids and if the University and the students are satisfied with the arrangement.

Consequently, this Court cannot direct that the respondent No.2- University must issue a tender for running its Mess. Accordingly, the writ petition and the application are dismissed.

MANMOHAN, J

MAY 30, 2016
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