

\$~50

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

+ W.P.(C) 6273/2017 & CM APPL. 25984/17

M/S HIND CONSTRUCTION CO Petitioner

Through : Mr.B.M.Singh, Advocate.

versus

EAST DELHI MUNICIPAL CORPORATION AND ANR

..... Respondents

Through : Ms.Mini Pushkarna, Standing Counsel for
EDMC with Ms.Anushruti & Ms.Vasundhara Nayyar,
Advocates.

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MR. JUSTICE S.P.GARG

ORDER

% **25.07.2017**

The petitioner is aggrieved by the eligibility criteria contained in the instructions to bidders in the RFP issued on 28.06.2017. In the request for proposal, for hiring of 162 nos. Auto tipper LMV (CNG operated equipped with GPS system) with auto tipping facility of volume not less than 1.6 cum. with Hydraulic bin cart system having not less than 0.24 cum capacity, erstwhile EDMC i.e. the East Delhi Municipal Corporation, the impugned condition reads as follows :

“8. Eligibility Criteria:

The Bidder's competence and capability is proposed to be established by the following parameters:

(a) Related Experience

(b) Financial capability in terms of

i. Net worth

ii. Turnover

On each of these parameters, the Bidder would be required to the minimum eligibility criteria as detailed in this Section.

8.1 The Bidder must satisfy the following eligibility criteria for experience:

a. The bidder shall have ownership of at least 5 Auto Tippers having registration certificate not older than one year as on proposal due date.

b. Experience in handling of fleet for collection & transportation of / lifting of MSW/ Malba/ Horticulture waste of at least 20 nos. of vehicles for each of the last three completed financial years in the preceding seven financial years under a single contract, out of which at least one year for any government department.

Experience as subcontractor or experience of housekeeping of the bidder shall not be considered for technical qualification.”

Ms.Mini Pushkarna, Standing Counsel appearing on advance notice states that the agency i.e. EDMC has decided to issue a fresh RFP after reviewing the objectionable condition. In these circumstances, nothing survives for consideration. The writ petition is dismissed as infructuous. Pending application also stands disposed of.

S. RAVINDRA BHAT, J

S.P.GARG, J

JULY 25, 2017 / tr