

\$~13 & 36

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

+ **W.P.(C) 6353/2017, C.M. APPL.26292-93/2017 & 27218/2017**  
M/S MI2C SECURITY & FACILITIES PVT. LTD..... Petitioner

versus

INSTITUTE OF HUMAN BEHAVIOUR & ALLIED SCIENCES & ORS  
..... Respondents

+ **W.P.(C) 7334/2017, C.M. APPL.30291-30293/2017**  
SARVESH SECURITY SERVICES PVT. LTD. .... Petitioner

versus

INSTITUTE OF HUMAN BEHAVIOUR & ALLIED SCIENCES & ORS  
..... Respondents

Through : Sh. Rajesh Gogna with Ms. L. Gangmei and  
Sh. Akhilesh, Advocates, for Respondent No.4, in  
Item No.36 and for the petitioner no. 1 in Item No.13.

Sh. Sandeep Sethi, Sr. Advocate with Ms. Aastha Jain  
and Ms. Sneha Singh, Advocates, for petitioners, in  
Item No.36.

Sh. Sumit. K. Batra and Sh. Kapil Choudhary,  
Advocates, for Respondent No.2 in Item No.36.

Sh. Abhishek Khanna, Advocate, for Respondent No.3  
in Item No.36.

Sh. Gursharan Singh, Advocate, for Respondent No.2  
in Item No.13.

Sh. S.D. Singh, Ms. Surabhi Shukla, Ms. Shweta Sinha  
and Sh. Jitender Singh, Advocates, for IHBAS, in Item  
Nos. 36 and 13.

**CORAM:**

**HON'BLE MR. JUSTICE S. RAVINDRA BHAT**

**HON'BLE MR. JUSTICE SUNIL GAUR**

**ORDER**

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**23.08.2017**

Both these petitions give rise to common questions of fact and law  
pertaining to the Notice Inviting Tender (NIT) issued  
by the Institute of Human Behaviour and Allied Sciences (IHBAS) on

06.11.2015.

The petitioner in W.P.(C) 7334/2017 [hereafter referred to as “Sarvesh”] complains that L-1 bidder, i.e. MI2C Security Facilities Pvt. Ltd. [hereafter “MI2C”] is ineligible and its bid ought to have been rejected. The Court had initially heard, on an earlier date, W.P.(C) 6353/2017 preferred by MI2C.

The Court has considered the submissions of the parties during the course of which IHBAS’s file was produced.

The official records have addressed Sarvesh’s concern with respect to MI2C’s ineligibility on the two counts agitated, i.e. as regards its not possessing the eligibility condition of the turnover of ₹1.8 crores for the preceding three years; that as to whether it did possess a PASARA license in its name, Sarvesh had contended that the license was issued to its Director who has since resigned and as the surviving sole bidder, MI2C ought not to have been granted the tender. The file reflects deliberations by not only IHBAS but also the GNCTD.

The Court too is satisfied that on both the aspects, MI2C fulfilled the eligibility criteria. Furthermore, Sarvesh’s bid was rejected on 29.02.2016 and that order has become final.

Having regard to the proceedings in the Court and the official record, learned senior counsel for Sarvesh submitted that he has instructions to withdraw the writ petition. Consequently, W.P.(C) 7334/2017 is dismissed as withdrawn. W.P.(C) 6353/2017 is accordingly disposed of.

**S. RAVINDRA BHAT, J**

**SUNIL GAUR, J**

**AUGUST 23, 2017/AJK**