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

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Judgment delivered on: 27.11.2017

+ **W.P.(C) 10384/2017**

RAM AVTAR SINGH AND ORS. Petitioners

Through : Mr Sanjeev Narula and Mr
Anshuman Upadhyay,
Advocates.

versus

THE GOVT OF NCT OF DELHI AND ORS..... Respondents

Through : Mr Ramesh Singh, Mr
Sandeepan Pathak and Mr Prem
Mishra, Advocates for
GNCTD.

CORAM:-

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

S. RAVINDRA BHAT, J. (OPEN COURT)

CM No.42407 /2017(exemption)

Allowed, subject to all just exceptions.

W.P.(C) 10384/2017& CM No.42406 /2017(stay)

1. After some arguments, learned counsel for the petitioners submits that after the acceptance of the bids for the *Kiosks* in the Anand Vihar ISBT, the reorganization of routes, which led to diversion of 22 U.P. route buses to Kaushambi, has resulted in a subsequent development, which substantially alters the conditions. Its

complaint is that, in these circumstances, the forfeiture of the bid security (Rs.1 lakh) and more significantly, the consequential automatic blacklisting, in terms of the tender condition No.4.7, is arbitrary.

2. On the previous date of hearing, the Court had expressed its opinion that the Government of National Capital Territory of Delhi (GNCTD) may consider - having regard to the peculiar circumstances of road diversion, whether the blacklisting condition would be resorted to.

3. Today, in the course of hearing, counsel for the GNCTD submits specific instructions that the result of consequence under Clause 4.7 in the facts of this case would not be insisted upon for the present tender.

4. In these circumstances, having regard to the statement made, the Court is of the opinion that the petitioners' principal grievance is redressed.

5. The Writ Petition is accordingly disposed of.

**S. RAVINDRA BHAT
(JUDGE)**

**SANJEEV SACHDEVA
(JUDGE)**

NOVEMBER 27, 2017

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