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

+ W.P.(C) 567/2018

M/S JAKHAL INDANE GAS SERVICE Petitioner
Through: Mr. Sahil A. Garg Narwana with
Mr. Aslam, Advs.

versus

UNION OF INDIA AND ORS. Respondents
Through: Mr. Vikas Mahajan, CGSC and
Mr. R.M. Tripathi, Govt. Pleader for R-1/UOI.
Mr. Vikram Mehta & Ms. Shweta Duggar,
Advs. for R-2.

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER

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22.01.2018

The entire premise upon which the petition is preferred before the Court challenging the rejection of the writ petitioner's bid is that, it was unable to upload the price bid in PDF format on account of some technical flaw in the respondent's website and that to overcome this hindrance, the latter had permitted a select few bidders to submit the price bid not in terms of the tender conditions but in hard copies or some other format. The relevant condition of the tender requiring parties to furnish price bid, reads as follows:

“16. Price Bid is to be uploaded online only in the excel file format in IOCL E-TENDER website. No scan copy of price bid document is acceptable and in case any party submitting the price bid other than through on-line in excel file provided for the purpose, then such tender will be summarily rejected.”

This Court notices that the petitioner's grievance pertains to its inability to upload the price bid in PDF format. It claims to have represented the technical flaw to the respondents on the day the bids were closed i.e. 29.12.2017. However, the bid closing was at 11.00 a.m. whereas the petitioner's e-mail – a copy of which has been placed on record, was sent at 3:45 p.m. Furthermore, there is no other material on record to substantiate the plea that others, facing similar difficulties, were favoured.

In these circumstances, the Court is of the opinion that no relief can be granted under Article 226 of the Constitution of India.

The writ petition is dismissed.

S. RAVINDRA BHAT, J

A. K. CHAWLA, J

JANUARY 22, 2018
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