

\$~16

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

++

W.P.(C) 5826/2018 & CM APPL. 22651-52/2018

M/S AAXIS NANO TECHNOLOGIES PVT LTD Petitioner

Through: Mr. Anup J. Bhambhani, Sr. Adv.
with Mr. Rajat Arora and
Ms. Vishalakshi Singh, Advocates.

versus

UNION OF INDIA AND ANR

..... Respondents

Through: Mr. Anil Soni, CGSC with
Mr. Abhinav Tyagi, Advocates.

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER

%

28.05.2018

The petitioner challenges the rejection of its reply in respect of the cancellation of its tender. It had approached this Court on an earlier occasion [WP(C) 9656/2017] and the Court by its order of 01.11.2017 had called upon the respondents to issue show cause notice to the petitioner as to why the action proposed be not taken. The respondent therefore issued show cause notice and thereafter constituted a five members committee after which the impugned order was made on 16.5.2018.

The petitioner's grievance in the opinion of this Court, with respect to the respondent's view, does not merit consideration. However, at the same time the Court is also of the opinion that the observations with respect to the petitioner having indulged into

corrupt and fraudulent practices were never revealed to him originally and did not form part of the original tender cancellation order. In these circumstances the observations in paras 7 and 8 of the order dated 16.5.2018, cannot be sustained and would not in any manner bar the petitioner from participating in future tender, which of course, will be considered on its own merits. All other rights of the parties including that of the petitioner to avail remedy in law are reserved.

The writ petition is disposed of in the above terms.

Order dasti.

S. RAVINDRA BHAT, J

A. K. CHAWLA, J

MAY 28, 2018

ndn