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

+ W.P.(C) 10212/2018

M/S K. KRISHNA SOLUTIONS

..... Petitioner

Through: Mr. Amit Kumar, Mr. Ramaditya Tiwari,
Mr. Sumit Kumar, Mr. Abhinav Mishra and Mr.
Harbir, Advocates.

versus

UNION OF INDIA AND ORS.

..... Respondents

Through: Mr. Jasmeet Singh, Advocate alongwith
Mr. V. Nilesh Goyal, Advocate for R-1 to 5.

CORAM:

HON'BLE MR. JUSTICE SANJIV KHANNA

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

26.09.2018

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We are not inclined to issue notice in the present writ petition as the petitioner had participated in the tender bid which was floated on 31st August, 2018. The technical bids were opened and scrutinised on 21st September, 2018 at 3.pm. The petitioner was declared technically ineligible and not qualified. The petitioner has not disputed and challenged the disqualification.

2. In these circumstances, we do not think that the petitioner should be allowed to question and challenge the procedure for selection by tender through Central Public Procurement Portal. We may observe that the said portal and procedure has been prescribed by the Central Government for the purpose of procurement of goods and services.

3. The contention of the petitioner is that there is an alternative method of procurement of goods and services through Government eMarketplace. There can be two or more procedure for procurement and selection, which can co-exist
4. We would not delve deeper into the question and aspect whether Government eMarketplace should have been adopted, as the petitioner had participated in the tender inquiry through Central Public Procurement Portal, without any demur and protest.
5. Recording the aforesaid, we dismiss the present writ petition without any order as to costs.

SANJIV KHANNA, J.

CHANDER SHEKHAR, J.

SEPTEMBER 26, 2018
MR