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

+ W.P.(C) 1565/2020

M/S CENTURION LABORATORIES PVT. LTD. Petitioner

Through: Mr. Sachin Dutta, Senior Advocate
with Mr. Bishwajit Singh, Advocate

versus

CENTRAL MEDICAL SERVICE SOCIETY AND ORS.

..... Respondents

Through: Mr. Rishi Kant Singh, Advocate for
R-1.
Mr. Vikram Jetly, CGSC for R-2.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

% **12.02.2020**

CM APPL.5477/2020 (exemption)

Exemption allowed, subject to all just exceptions.

Application stands disposed of.

W.P.(C) 1565/2020 and CM APPL.5476/2020 (stay)

The bid of the petitioner for tender invited on 09.07.2019, was rejected on 12.12.2019, on the ground that the petitioner was ineligible. The ground for ineligibility appears to be an order of black-listing which was passed by the respondents against the petitioner for a period of two years from the date of such order. The petitioner had challenged the order of black-listing by filing a Writ Petition No.9422/2018, which was allowed in part and the learned Single Judge, *vide* order dated 06.01.2020, clarified that

the order of black-listing would operate from the date of issuance of the show cause notice instead of the date of the black-listing order, in view of the peculiar facts, whereby the black-listing order remained in force till 30.11.2019.

Admittedly however, on the date when the bid was submitted by the petitioner the order of black-listing was in operation. Accordingly, we find no infirmity in the action of the respondent in rejecting the bid of the petitioner.

At this stage, Mr. Sachin Dutta, learned Senior Counsel submits that the petitioner would make a representation to the respondent since, on the date when the bid was opened and the order of rejection was passed, the black-listing period of two years had come to an end.

We however find no merit in the writ petition; and the same is accordingly dismissed.

Pending application also stands disposed of.

G.S.SISTANI, J.

ANUP JAIRAM BHAMBHANI, J.

FEBRUARY 12, 2020/vk