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

+ W.P.(C) No.3255/2020 & C.M. Nos.11381-82/2020

VAAAN INFRA PVT LTD.

..... Petitioner

Through: Mr. Jitender Gupta, Advocate

versus

GOVT. OF NCT OF DELHI & OTHERS

....Respondents

Through: Mr. Ramesh Singh, Standing
Counsel with Ms. Dachhita Shahi,
Advocate for R-1 and R-2.
Mr. Abhishek Gupta, Advocate for
R-3 with Mr. Vishwas, A.R.
of R-3.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

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27.05.2020

HEARD THROUGH VIDEO CONFERENCING

1 The present petition has been filed by the petitioner praying *inter alia* for declaring as null and void; the bidding process initiated by the respondent No2/Transport Department, Government of NCT of Delhi (GNCTD), dated 30.12.2019 for selection of System Integrator for Implementation of Automatic Fare Collection System for the Transport Department. Secondly, the petitioner seeks quashing of the list of bidders as updated by the respondent No.2/GNCTD on its website on the ground that the respondent No. 3/M/s Delhi Integrated Multi Modal Transit System Ltd. had agreed to enter into a consortium with the petitioner for making a bid in respect of the subject tender, but at the eleventh hour, had backed off.

2 At the outset, we requested learned counsel for the petitioner to address this Court on the maintainability of the present petition in view of the fact that quite apparently, the dispute raised is not between the petitioner and respondent Nos.1 and 2/State, but between the petitioner and the respondent No. 3 entity on account of the latter, allegedly reneging from an agreement arrived at with the petitioner to enter into a consortium to bid for the subject tender.

3 After addressing arguments for sometime, Mr. Jitender Gupta, learned counsel for the petitioner states in all fairness that he may be permitted to withdraw the present petition while reserving the right of the petitioner to seek its remedy against the respondent No. 3 on the civil side.

4. Leave as prayed for is granted. The present petition is disposed of as not pressed along with the pending applications.

HIMA KOHLI, J.

SUBRAMONIUM PRASAD, J.

MAY 27, 2020

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