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

+ W.P.(C) 4833/2020 and CM APPL. 17446/2020

G AND G SERVICES PVT LTD Petitioner
Through: Mr.Vaibhav Sharma, Advocate.

versus

DSI IDC Respondent
Through: Ms.Anusuya Salwan with Ms.Nikita
Salwan, Mr.Abhishek Pundir, Mr.Bankim Garg
and Mr.Chaitanya Bansal, Advocates.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

% **31.07.2020**

HEARD THROUGH VIDEO CONFERENCING

1. The petitioner has filed the present petition praying *inter alia* for issuing directions to the respondent/DSI IDC to remove Clause 1.6(a)(8) of the tender document dated 24.07.2020, for maintenance of the DSI IDC offices on the ground that the same is arbitrary and unfunctionable. Clause 1.6(a)(8) of the tender document, that requires the contractor to scan and upload certain documents, states that the contractor will file an affidavit undertaking *inter alia* that its firm is not in arbitration/engaged in a court case in any matter with the DSI IDC, as on the last date of the bid submission. Further, the contractor is required to state in the affidavit that his tender may be rejected if it is found by the respondent/DSI IDC that its firm is in arbitration or engaged in a court case with the DSI IDC for any work, on the date of the bid submission.

2. Ms.Anusuya Salwan, learned counsel for the respondent/DSI IDC, who appears on advance notice, had sought a pass-over on the first call to obtain instructions from the department. On the second call, she states that as per her instructions, the respondent/DSI IDC has decided to withdraw the subject tender and issue a fresh tender after re-examining the terms and conditions of the present tender, particularly, the condition imposed in Clause 1.6(a)(8) thereof.

3. In view of the submission made herein above, no further orders are required to be passed in this petition, which is disposed of alongwith the pending application.

HIMA KOHLI, J

SUBRAMONIUM PRASAD, J

JULY 31, 2020

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