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

+ W.P.(C) 5981/2020 and CM APPL. 21628-29/2020

RAJ CONSTRUCTION CO AND ORS Petitioners
Through: Mr. Gaurav Puri, Mr. Sarthak Gupta and
Mr. Kamal Gupta, Advocates

versus

DELHI DEVELOPMENT AUTHORITY Respondent
Through: Mr. Sanjeev Sagar, Standing Counsel,
DDA with Ms. Nazia Parveen, Advocate

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

% **04.09.2020**

HEARD THROUGH VIDEO CONFERENCING

1. The present petition has been filed by six firms, who are in the business of providing maintenance in public parks in and around Delhi, praying *inter alia* for several reliefs *qua* the respondent/DDA, including directions not to consider any bid in future, where the bidder has quoted minimum wages rate with regard to NITs for maintaining gardens in its jurisdiction, for including the component of bonus in the special conditions for evaluating financial bids, for including in the estimate of cost of contract, wages payable to a skilled supervisor etc.

2. Mr. Gaurav Puri, learned counsel for the petitioners submits that the petitioners had initially participated in certain tenders floated by the respondent/DDA this year but subsequently, they had withdrawn from the NITs as they found them to be unworkable. He submits that the petitioners

have recently submitted a representation dated 19.08.2020, to the respondent/DDA making a series of suggestions, which according to them are overlooked during the tendering process.

3. Mr. Sanjeev Sagar, learned Standing Counsel, DDA, who appears on advance notice, confirms that he has received a complete set of the paper book. He states that once the petitioners have withdrawn from the tenders in question, there is no question of entertaining the present petition.

4. We have enquired from learned counsel for the petitioners if the petitioners would be satisfied if a direction issued to the respondent/DDA that the representations submitted by the petitioners be considered by the Competent authority and an appropriate response be given. Learned counsel states that his clients are agreeable to the said suggestion.

5. Accordingly, without prejudice to the rights and contentions of the parties, the present petition is disposed of with directions issued to the respondent/DDA to consider the representation dated 19.08.2020, submitted by the petitioners [part of Annexure-H (colly.)] and respond thereto within four weeks from today, under written intimation to the petitioners as also their counsel.

6. The present petition is disposed of alongwith the pending applications with the aforesaid order.

HIMA KOHLI, J

SUBRAMONIUM PRASAD, J

SEPTEMBER 4, 2020

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