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

+ W.P.(C) 6056/2020 and C.M. No. 21777/2020

KAMAC ENGINEERS PRIVATE LIMITED Petitioner
Through: Ms. Mani Gupta and
Mr. Vedant Kumar, Advocates.

versus

NATIONAL HIGHWAYS AND INFRASTRUCTURE
DEVELOPMENT CORPORATION LTD. Respondent
Through: Mr. S.B. Upadhyay, Sr. Advocate with
Mr. Manu Beri, Advocate

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER
16.09.2020

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HEARD THROUGH VIDEO CONFERENCING

1. Ms. Gupta, learned counsel for the petitioner states that after the last date of hearing, she has obtained instructions from her client to the effect that the Financial Bid of the petitioner was higher than the financial bid of L-1 that was accepted by the respondent/NHIDCL on 03.9.2020. However, she states that as per her instructions, the petitioner does not wish to press the present petition any further and seeks leave to withdraw the same, while reserving its right to approach the court in the future, in the event, its bid is declared as technically non-responsive by the respondent/NHIDCL.
2. Leave as prayed for, is granted. In the event, the petitioner approaches the court with a fresh petition on a fresh cause of action claiming exclusion

of its bids on the ground of it being declared as technically non-responsive, both parties shall be entitled to take all the pleas that may be available to them, both on facts and in law.

3. The petition is disposed of as not pressed along with the pending application.

HIMA KOHLI, J

SUBRAMONIUM PRASAD, J

SEPTEMBER 16, 2020/ap