



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Wednesday, the Eighth day of December Two Thousand Twenty One

PRESENT

THE HON`BLE MR.JUSTICE M.DHANDAPANI

WMP.NO.26335 OF 2021

IN WP.NO.25008 OF 2021

KINECO LIMITED,
REP.BY ITS AUTHORISED SIGNATORY
MS.MANISHA NAIK, THE COMPANY SECRETARY
AND COMPLIANCE OFFICER, HAVING ITS REGISTERED
OFFICE AT 41, PILERNE INDUSTRIAL ESTATE,
BARDEZ, GOA - 403 511.

[PETITIONER]

Vs

1 THE UNION OF INDIA
THROUGH THE RAILWAY BOARD
MINISTRY OF RAILWAYS RAISINA ROAD
NEW DELHI 110 001

[RESPONDENTS]

2 THE PRINCIPAL CHIEF MATERIALS MANAGER,
ADMINISTRATIVE BUILDING
INTEGRAL COACH FACTORY, CHENNAI 600 038

3 MS.HINDUSTAN FIBER GLASS WORKS
(A PARTNERSHIP CONCERN), HAVING ITS
OFFICE AT CIB-231/3 AND 231/4
GIDC INDUSTRIAL ESTATE PORARAMANGAMDI
VADODARA, GUJARAT 391 243

4 MS.CMT MECHANISED SYSTEM PRIVATE LIMITED,
(A COMPANY REGISTERED UNDER THE
COMPANIES ACT 1956) HAVING ITS REGISTERED
OFFICE AT CIB 235/1 GIDC INDUSTRIAL ESTATE
PORRAMANGAMDI, VADODARA GUJARAT - 391 243

5 MS.CENTURY POLYMER INDUSTRIES
(A PARTNERSHIP FIRM) HAVING ITS OFFICE AT
CIB 235/2 AND 235/3 GIDC INDUSTRIAL ESTATE
PORRAMANGAMDI VADODARA GUJARAT 391 243

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to grant stay of all further proceedings pursuant to the Notice inviting Tender in Tender No.07211657 issued on 21.09.2021 on the file of the second respondent (WMP.NO.26335/2021) pending disposal of the above WP.NO.25008/2021.



Order : This Miscellaneous Petition coming on this day for hearing upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.ISHAAN GEORGE, Advocate for the petitioner, the court made the following order:-

Learned counsel for the official respondent placed the original records before this Court.

A perusal of the said official documents reveal that there was collusive bidding. Further the tender committee decision, as placed before this Court, more particularly para-7, had opined that it is satisfied beyond doubt that there was collusive bidding by the three firms.

In such circumstances, there is prima facie violation of clause 10.11 of the tender conditions and, therefore, there shall be an order of interim stay of award of contract to any one and if the contract had already been awarded, it is made clear that such award is subject to the result of the writ petition.

-sd/-

08/12/2021

/ TRUE COPY /

Sub Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE RAILWAY BOARD
THE UNION OF INDIA,
MINISTRY OF RAILWAYS, RAISINA ROAD,
NEW DELHI - 110 001

2 THE PRINCIPAL CHIEF MATERIALS MANAGER,
ADMINISTRATIVE BUILDING
INTEGRAL COACH FACTORY, CHENNAI 600 038

+2 C.C. to M/S.A.UMAPATHY, Advocate SR.NO.7277/2021

Order

in

WMP.NO.26335 OF 2021

IN WP.NO.25008 OF 2021

Date :08/12/2021

From 26.2.2001 the Registry is issuing certified
copies of the Interim Orders in this format

<https://hcservices.ecourts.gov.in/hcservices/>
PM(13/12/2021)