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

+ **W.P.(C) 505/2024 & CM APPL. 2296/2024**

PRL PROJECTS AND INFRASTRUCTURE LTD. Petitioner

Through: Ms. Anusuya Salwan, Ms. Simran Sakunia, Ms. Sonika Singh, Mr. Bankim Garg and Mr. Rachit Wadhwa, Advocates.

versus

AIRPORTS AUTHORITY OF INDIA

..... Respondent

Through: Mr. Digvijay Rai and Mr. Archit Mishra, Advocates with Mr. Vivek Gupta, AGM (Law) and Mr. Ganga Kachor, Sr. Manager, (Law) along with Mr. Hitender Varshney, AGM.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

16.01.2024

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1. The Petitioner has approached this Court for a direction to the Respondent to open the technical bid and consider the price bid of the Petitioner for the work of construction of New Civil Enclave at Jammu Airport and also to consider the technical bid and price bid of the Petitioner for strengthening of basic strip of runway including leveling and grading, construction of RCC drain and rain water harvesting inside operational area at Kadapa Airport.

2. The facts of the case reveals that the Petitioner had made its bid for award of contract for these two works which were advertised by way of



Notice Inviting Tenders (NITs) dated 16.11.2023 and 06.12.2023. Material on record discloses that the Petitioner's bid is not being considered because of a temporary restraint Order dated 01.01.2024 passed against the Petitioner.

3. Learned Counsel for the Petitioner contends that the said order has been passed without giving any show cause notice to the Petitioner in violation of the judgment of the Apex Court in Gorkha Security Services v. Government (NCT of Delhi) and Ors., (2014) 9 SCC 105.

4. Mr. Digvijay Rai, learned Counsel for the Respondent/AAI, on instructions, states that a decision has been taken to withdraw the temporary restraint Order dated 01.01.2024. Resultantly, the reason given for not considering the technical bid of the Petitioner goes. The Respondents are, therefore, directed to consider the technical bid and the price bid of the Petitioner in accordance with law.

5. The writ petition is disposed of along with pending application(s), if any.

SUBRAMONIUM PRASAD, J

JANUARY 16, 2024

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