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

+ **W.P.(C) 2359/2024**

CURRYMIA FOODS LTD.

..... Petitioner

Through: Mr. Ravikesh Kumar Sinha,
Advocate.

versus

UNION OF INDIA & ORS.

..... Respondents

Through: Mr. Anurag Ahluwalia, CGSC with
Mr. Kaushal Jeet Kait, GP for R-1 to
3.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

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19.02.2024

CM APPL. 9760/2024 (Exemption)

Allowed, subject to all just exceptions.

W.P.(C) 2359/2024 & CM APPL. 9761/2024

1. The Petitioner has approached this Court for a direction to the Respondents for quashing the Order dated 07.11.2023 removing the name of the predecessor of the Petitioner, namely, Ahmednagar District Goat Rearing and Processing Co-op. Federation Limited, from the approved list of contractor from Respondent No.2 for supplying meat dressed chilled/frozen as a part of the entitled free ration of Armed Forces to Eastern Command.

2. The case of the Petitioner in short is that the predecessor-in-interest of the Petitioner, namely, Ahmednagar District Goat Rearing and Processing



Co-op. Federation Limited, was carrying on the business in the field of supply of meat dressed chilled/frozen to the armed forces.

3. It is stated that the Petitioner and Ahmednagar District Goat Rearing and Processing Co-op. Federation Limited have merged and the Petitioner has taken over the federation. It is stated that the Respondents were informed about the amalgamation on 19.09.2023, yet by the order impugned in the writ petition, the predecessor-in-interests have been removed from the list.

4. It is stated that including the name of the Petitioner as a supplier is only an administrative formality on supply of various documents which have already been filed along with the representation filed by the Petitioner. The impugned order dated 07.11.2023 specifically states that there is a right of appeal.

5. Mr. Ravikesh Kumar Sinha, learned Counsel for the Petitioner, states that since the predecessor-in-interest of the Petitioner does not exist, it cannot file an appeal. The Petitioner, who is the successor-in-interest of the Ahmednagar District Goat Rearing and Processing Co-op. Federation Limited is entitled to file an appeal in terms of the Order dated 07.11.2023 and satisfy the Appellate Authority regarding the merger/amalgamation and for permission to the Petitioner herein to continue the supply of the meat dressed chilled/frozen in place of the Ahmednagar District Goat Rearing and Processing Co-op. Federation Limited and also participate in the future tenders.

6. Let the appeal be filed within three days from today. The Respondents are directed to dispose of the appeal within 14 days thereafter.

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



any.

8. Liberty is granted to the Petitioner to approach this Court in case the appeal is not disposed of or in case the appeal is held against him.

9. It is made clear that this Court has not made any observation on the merits of the case.

SUBRAMONIUM PRASAD, J

FEBRUARY 19, 2024

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