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

+ **W.P.(C) 3806/2024 & CM APPLs.15650-15651/2024**

M/S EXPRESS FOOD SERVICES

..... Petitioner

Through: Mr. Akshat Bajpai, Mrs. Ishanee
Sharma, Mr. Shobhit Trehan,
Ms. Renuka Parmanand, Advocates

versus

INDIAN RAILWAY CATERING AND TOURSIM CORPORATION

..... Respondent

Through: Mr.Saurabh Agrawal, Mr.Anshuman
Chowdhury, Mr.Ajay Sharma,
Mr.Shivam Choudhary and Mr.Rajat
Chhabra, Advocates for IRCTC

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% **14.03.2024**

1. Present writ petition has been filed by the Petitioner challenging the letter dated 12th March, 2024 issued by the Respondent-Corporation, whereby the Petitioner was disqualified from the tender.
2. By the disqualification letter dated 12th March, 2024, the disqualification has been done also on the ground that upon cross verification from the ICAI portal, IRCTC did not find that all the particulars as per Annexure E have been mentioned in the ICAI portal.
3. The petitioner has stated that the details matching Annexure E were also mentioned on the ICAI portal, albeit due to an inadvertent mistake on



the part of the Chartered Accountant, under a different UDIN number.

4. In order to resolve the matter and without expressing any opinion on the merits of the case, IRCTC shall open the financial bid of the petitioner, upon verifying the correctness of the statement made by the petitioner.

5. With respect to the absence of notarization on the documents submitted with respect to Sr. No. 6(B), since the documents provided pertain to those issued by IRCTC themselves, the respondent has agreed to not insist upon this requirement of notarization.

6. This is a resolution worked out in the peculiar facts and circumstances of the present case without expressing any opinion on the disqualification done and on the terms and conditions of the bid document. This order is also not to be treated as a precedent as IRCTC is entitled to verify the details given in Annexure E from the ICAI portal.

7. Writ is disposed of in terms of the above.

ACTING CHIEF JUSTICE

MANMEET PRITAM SINGH ARORA, J

MARCH 14, 2024
AS