



\$~31

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

+ **W.P.(C) 7001/2024 & C.M.Nos.29138-29139/2024**

S.S. MEDICAL SYSTEMS (INDIA) PVT LTD Petitioner

Through: **Mr.Arush Bhandari, Advocate.**

versus

UNION OF INDIA & ORS. Respondents

Through: **Ms.Saumya Tandon, CGSC with
Ms.Megha Sharma, Mr.Alok Singh
and Mr.Sachin, Advocates for R-1 &
3.
Ms.Ankita Panikkar with
Mr.Kushagra Verma, Advocates for
R-2.**

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

%

16.05.2024

1. Present petition has been filed challenging the issuance of work orders to respondent no. 4 pursuant to E-tender bearing no.GEM/2023/B/3489880 dated 13th June, 2023 issued by respondent no.1. The petitioner further prays for issuance of directions to respondent nos.1 and 3 to re-evaluate the bid of the petitioner and grant the petitioner the entitled counter offer benefit of 25% of the tender work. In the alternative, the petitioner prays for directions to respondent no.1 and 3 to disqualify the respondent no. 4 in respect of the subject tender and grant the petitioner the entitled counter offer benefit of 50% of the tender work.



2. After some arguments, it transpires that the petitioner has made three representations dated 12th March, 2024, 30th March, 2024 and 08th May, 2024, which have not been disposed of till date.

3. Learned counsel for Tendering Authority/respondent no.3 states that it will dispose of the representations filed by the petitioner prior to the award of the contract in question as the same would take at least two weeks.

4. Consequently, this Court disposes of the present writ petition along with the applications with a direction to respondent no.3 to treat the present writ petition as a representation of the petitioner and decide the same by way of a speaking order in accordance with law within one week. This Court clarifies that it has not commented on the merit of the controversy. The rights and contentions of all the parties are left open.

ACTING CHIEF JUSTICE

MANMEET PRITAM SINGH ARORA, J

MAY 16, 2024
KA