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

+ W.P.(C) 15150/2024

M/S IVS GLOBAL SERVICES PVT LTD.Petitioner

Through: Mr. Rajeshkhar Rao, Sr Advocate,
alongwith Mr. Dhaval Deshpande and
Ms. Meherunissa Anand Jaitley,
Advocates.

versus

UNION OF INDIA & ORS.Respondents

Through: Mr. Shashank Garg, CGSC alongwith
Ms. Nishtha Jain, Advocate and Mr.
Syed Hussain Adil Taqvi, G.P. for
UOI/R-1 & 2.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

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28.10.2024

1. Present petition has been filed seeking directions to the Respondent No. 1 – Ministry of External Affairs and the Respondent No. 2 – the Embassy of India, Germany to declare the bid of the Respondent No. 3 company as non-responsive in accordance with the terms of the Request for Proposal dated 2nd April 2024 for outsourcing of Consular/Passport/Visa/OCI/PCC/Surrender Certificate (Renunciation of Indian Citizenship)/Global Entry Program (GEP) Verification/Miscellaneous Attestation related support services (“CPV Services”) for the Embassy of India, Berlin.
2. Learned senior counsel for the petitioner states that on 2nd July, 2024, the financial bids were opened in the presence of authorized representatives



wherein the Respondent No. 3 was observed to be the lowest bidder despite having quoted a purportedly unviable and unfeasible service fee.

3. He also states that the Respondent No. 3 has in the past been disqualified for failing security clearance in regard to an identical tender floated by the Respondent No. 1 for outsourcing of CPV services for the Indian Mission in Riyadh, Saudi Arabia, and the said decision was affirmed by this Court *vide* judgement dated 12th October, 2023 passed in W.P.(C) 10872 / 2023.

4. He further states that the aforementioned issues have been brought to the attention of the Respondent No. 2 by way of a representation dated 20th October, 2024, however, no response to the same has been received.

5. Per contra, learned counsel for the respondent no. 1 and 2 states that the respondents have time till 30th November, 2024 to announce the lowest bidder in terms of the request of proposal dated 2nd April, 2024 inasmuch as the bids submitted by the tenderers are valid for six months. He assures this Court that as and when final a decision is taken all parameters and all information provided by the petitioner shall be taken into consideration.

6. The aforesaid statement made by learned counsel for the respondent is accepted by this Court and the respondents are held bound by the statement.

7. Keeping in view the aforesaid, the present writ petition is closed.

MANMOHAN, CJ

TUSHAR RAO GEDELA, J

OCTOBER 28, 2024/ms