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

+ **W.P.(C) 15982/2024 & CM APPLs.67127-67129/2024**

VF WORLDWIDE HOLDINGS LTD

.....Petitioner

Through: Mr.Rajiv Nayar, Sr. Adv.,
Mr.Rajshekhar Rao, Sr. Adv. with
Mr.Arjun Raghavendra, Ms.Meghna
Mishra, Ms.Tahira Karanjawala,
Mr.Arjun Surjewala, Ms.Saran Mir,
Ms.Mahek Karanjawala, Advocates

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr.Anurag Ahluwalia, CGSC with
Mr.Prakrash Airan, Advocates for
UOI
Mr.Amit Sibal, Sr. Adv. with
Mr.Naman Joshi, Ms.Ritika Vohra,
Mr.Shivam Gera, Ms.Ambee Tickoo,
Mr.Darpan Sachdeva, Advocates for
R-3

CORAM:
HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER
19.11.2024

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1. Present petition has been filed seeking directions to the Respondent No.1 – The Ministry of External Affairs and the Respondent No.2 – The Embassy of India, Spain, to declare the bid of the Respondent No.3 – M/s BLS International, submitted in Tender No. MAD/CONS/415/03/2024 for delivery of outsourcing of Consular /Passport /Visa /OCI /PCC/ Surrender



Certificate (Renunciation of Indian Citizenship) / Global Entry Program (GEP) Verification / Miscellaneous Attestation (“CPV Services”) for the Embassy of India, Madrid, Spain, as non-responsive.

2. The Petitioner and the Respondent No.3 were prospective bidders for the subject tender. The Respondent No.2 had on 16th April, 2024 issued the Request for Proposal inviting technical and financial bids in a sealed cover for the subject tender and the same were opened on 20th May, 2024. The bids of both the Petitioner and the Respondent No.3 had been declared as technically responsive and they were qualified for participating in the financial bid.

3. Learned senior counsel for the Petitioner states that on 23rd July, 2024, the financial bids were opened in the presence of the authorized representatives and it was the view of the Petitioner that the Respondent No.3 had quoted an unviable and unfeasible service fee in its bid in order to be declared as L1 bidder in the subject tender.

4. He further states that the aforementioned issue was brought to the attention of the Respondent No.2 vide representations dated 30th July 2024 and 14th November 2024. He, however, states that no reply to the same has been received till date.

5. Learned counsel for the Union of India and Respondent No.3, who appear on advance notice, state that the Embassy of India, Spain, Madrid has declared Respondent No.3 as the L1 bidder on 18th November, 2024. They further state that a contract between the Embassy of India, Spain, Madrid and L1 bidder (Respondent No.3) has been executed yesterday.

6. At this stage, Mr. Nayar, learned senior counsel for the Petitioner states that he would be satisfied if the two representations filed by him are



disposed of in accordance with law expeditiously.

7. Keeping in view the aforesaid, the present writ petition is disposed of with a direction to Respondent No.2/Embassy of India, Spain, Madrid to decide the two representations dated 30th July, 2024 and 14th November, 2024 in accordance with law within three weeks. This Court clarifies that there is no stay order passed by this Court. The rights and contentions of all the parties are left open.

MANMOHAN, CJ

TUSHAR RAO GEDELA, J

NOVEMBER 19, 2024
AS