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

+ **W.P.(C) 8190/2025**

RD EXCELLENT SERVICES PRIVATE LIMITED.....Petitioner

Through: Mr. Nitin Yadav, Mr. Shailesh Kumar
Yadav, Ms. Simran Kumari, Ms.
Shivani, Advocates.

versus

STEEL AUTHORITY OF INDIA LIMITED & ORS.....Respondents

Through: Mr. Sharat Kapoor and Mr. Bhavyah
Garg, Advocates for R-1/SAIL.
Mr.P.S. Singh, CGSC with Ms.
Minakshi Singh, Advocate for UOI.

CORAM:

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

**HON'BLE MR. JUSTICE HARISH VAIDYANATHAN
SHANKAR**

ORDER

% **06.06.2025**

CM APPL. 35869/2025 (Exemption)

1. Exemption allowed, subject to just exceptions.
2. Application stands disposed of accordingly.

W.P.(C) 8190/2025 and CM APPL. 35870/2025 (for stay)

3. The present writ petition seeks the following reliefs:

“a) Issue an appropriate writ, order or direction, in the nature of Certiorari, quashing and setting aside the impugned Contract Cancellation dated 20.05.2025 and the Suspension Order dated 23.05.2025 issued against the Petitioner by Respondents No. 1;

b) Issue an appropriate writ, order or direction, in the nature of Mandamus, directing the Respondents to restore the Contract bearing No. GEMC-511687740328359 dated 18.02.2025 awarded to the Petitioner, and permit the Petitioner to perform its contractual obligations in



accordance with law;

c) Issue a writ, order or direction restraining the Respondents from taking any coercive or punitive action against the Petitioner or interfering with the Petitioner's right to participate in present and future tenders floated by Respondents, particularly during the pendency of the present proceedings;

d) Issue such other or further writ, order or direction as this Hon'ble Court may deem just, fit and proper in the facts and circumstances of the case;

e) Award the costs of the present petition in favour of the Petitioner."

4. After having heard learned counsel for the parties, this Court is of the considered opinion that, though it is trite that the Tendering Authority has complete jurisdiction and authority to cancel a tender without giving any explanations or reasons, yet since the cancellation of the subject tender was followed by a suspension order dated 23.05.2025, for which, apparently, no show cause notice was issued to the petitioner, the petitioner ought to have been atleast supplied reasons for such suspension.

5. It is also trite that where an administrative action entails serious, drastic and detrimental consequences, a show cause notice would be necessitated, though it may not be an absolute rule of law.

6. In that view of the matter, we direct the respondents to consider the present writ petition as a representation and dispose of the same on or before 09.06.2025.

7. Needless to state, the petitioner would be at liberty to challenge, if so necessitated, the outcome of such consideration of the representation.

8. It is made clear that we have not entered into the merits of the matter and all rights and contentions of the parties are left open.



9. The writ petition along with pending application is accordingly disposed of.

TUSHAR RAO GEDELA, J
(VACATION JUDGE)

HARISH VAIDYANATHAN SHANKAR, J
(VACATION JUDGE)

JUNE 6, 2025/PB/SJ