IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH : NAGPUR.

WRIT PETITION NO. 8249 of 2025

Kundan Gold Mines Pvt. Ltd.
vs.
The State of Maharashtra, and others.

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| Office Notes, Office Memoranda of Coram, appearances, Court's Orders or directions and Registrar's order | Court's or Judge's Order |
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Mr. J. T. Gilda, Senior Advocate a/b Mr. A. J. Gilda, Advocate for petitioner.
Mr. N. S. Rao, AGP, for respondent no. 1.
Mr. H. D. Dangre, Advocate for respondent no.2.
Mr. A.A.Naik, Senior Advocate a/b Mr. Y. N. Sambre, Advocate for respondent no.3.

CORAM :- ANIL S. KILOR and RAJ D. WAKODE, JJ.
DATE :- 5th FEBRUARY, 2026.

Heard the learned counsel appearing for the parties.

2. It is the case of the petitioner that because of technical glitch, it could not submit its bid. According to him, in similar matters, the Principal Seat of the Bombay High Court and the Delhi High Court have appointed an expert to look into the issue and asked to submit the report.

3. We find substance in the submissions of Shri Gilda, the learned Senior Counsel for the petitioner that since this Court does not possess expertise in the field, which is relating to the Computer Science, it would be appropriate to appoint an expert so that the expert to look into the grievances of the petitioner and submit its report.

4. Shri Dangre, the learned counsel appearing for the respondent no.2 submits a list of such expert agencies.

5. With the consent of parties, we are of the opinion that the issue shall be referred to the Indian Computer Emergency Response Team (CERT-In) which is the national nodal agency under the Ministry of Electronics and Information Technology, operational since 2004.

6. Accordingly, we request the **Director General, CERT at Electronics Niketan, 6, CGO Complex, Lodhi Road, New Delhi 110 003**, to look into the issue as involved in the present petition relating to the alleged technical glitch at the end of the respondent no.2 and submit a report within 10 days from today.

7. The respondent no.2 undertakes to communicate this order to the Director General, CERT, New Delhi. In addition, the petitioner shall also communicate this order to the CERT.

8. If the petitioner wants to submit any submissions before the CERT, New Delhi, it shall submit the same through e-mail or by visiting the office of the CERT.

9. The CERT if deems it necessary to visit the Office of the petitioner to inspect the System, it may do so.

10. Charges in this regard initially shall be borne by the respondent no.2 and after receiving the report from CERT, New Delhi, if no fault is found in the system of the respondent no.2, as alleged by the petitioner, the petitioner shall reimburse the said amount to the respondent no.2.

11. The Director General of CERT is requested to submit the report in the matter, to the Registrar (Administration), High Court of Bombay, Bench at Nagpur, within 10 days from today.

12. The Registry shall also communicate this order to the CERT, New Delhi.

13. Interim order to continue till then.

14. Place this matter on **16.02.2026** for further consideration.

**( RAJ D. WAKODE, J.)** **(ANIL S. KILOR, J.)**

Signed by: Jayant S. Andurkar
Designation: PA To Honourable Judge
Date: 05/02/2026 14:52:24

*Andurkar.*