



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-04-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 48126 of 2025

and

WMP NO. 53780 OF 2025

Aczet Private Limited
Rep By Its Director,
Mr.Sanjay Shah,
Unit No.E2, Plot No.15,
Wicel Estate, Opp. Seepz Gate No.1,
Andheri (East), Mumbai- 400 093.

..Petitioner(s)

Vs

1. Indian Overseas Bank
Rep By Its Authorised Representative,
General Administration Department,
No.763, Anna Salai, Mount Road,
Chennai-600 002.
2. Government E- Marketplace (GEM) SPV
Rep by.its Chief Executive Officer,
3rd Floor, Tower- II,
Jeevan Bharti Building, Connaught Place,
New Delhi- 110 001.

..Respondents)

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Certiorarified Mandamus, to call for records of the 1st Respondent culminating in Tender bearing Bid No.GEM/2025/ B/ 6749353 dt 03.10.2025 and quash the same as arbitrary and illegal and pass.

For Petitioner(s):

Mr.P.V.Balasubramanian, Sr.Counsel
for M/s. Prarish Legal



For Respondent(s):

Mr.AR.L.Sundaresan,
Assistant Solicitor General
assisted by
Mr.P.V.Muralidhar

ORDER

This Writ Petition has been filed challenging the impugned Tender Notification issued by the 1st respondent dated 03.10.2025.

2. The case of the petitioner is that the 1st respondent floated a tender bearing Bid No.GEM/2025/B/6749353 dated 03.10.2025 on the website operated by the 2nd respondent for procurement of 149 units of "Gold Purity testing meter / karat meter (Q2)". Interested / qualified / eligible bidders were required to submit their respective technical and price bid. One of the technical criteria for the impugned tender is that the bidder must obtain a valid licence from Atomic Energy Regulatory Board (AERB) in the name of the OEM. Upon noticing these misdeclarations, the petitioner gave a complaint dated 01.11.2025 to the 2nd respondent and despite receiving the complaint, the 2nd respondent has miserably failed to initiate any action against the competitor. Thus the 1st respondent has indulged in blatant favouritism in both determining the technical criterion as well as in the manner of evaluation the said technical criterion. Hence, the present writ petition.



3. The first respondent has filed a counter stating that the 1st respondent bank has meticulously followed the norms of the bank and tender terms and conditions and rejected the petitioner's tender. The 1st respondent bank, after verifying the certificate issued by the Central Government of India and after due compliance with the terms and conditions of the tender, selected the competitor and in order to honour this Court, the bank has not opened the tender.

4. The fact remains that the petitioner's technical bid has been disqualified by the first respondent bank. The petitioner having participated in the entire tender process, cannot turn around and challenge the entire tender notification after awarding of tender to the successful competitor/bidder. If at all the petitioner is being aggrieved, they can very well challenge its disqualification and not the entire tender process / notification.

5. Accordingly, this Writ Petition stands dismissed, with liberty to the petitioner to challenge the disqualification of the petitioner's technical bid in the manner known to law. No costs. Consequently, connected miscellaneous petition is closed.

01-04-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
ssb



To

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M.DHANDAPANI J.

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