



2026:DHC:1558



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 2102/2026 and CM APPL. 10262/2026**

Date of Decision: **17.02.2026****IN THE MATTER OF:**

M/S SAI CONSTRUCTIONS CO

.....Petitioner

Through: Mr. Jai Sahai Endlaw, Mr. Modassir
H. Khan, Ms. Shruti Kapur, Mr.
Alash Shukla, Mr. Manoj K. Singh,
Advocates

versus

UNION OF INDIA & ANR.

.....Respondents

Through: Mr. Govil Upadhyaya, Advocate.

CORAM:**HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV****JUDGEMENT****PURUSHAINDRA KUMAR KAURAV, J. (ORAL)**

1. The petitioner is aggrieved by the impugned order dated 12.01.2026 passed by the appellate authority, rejecting the petitioner's application for renewal of enlistment and continuation of its name in the approved list of contractors. The renewal of enlistment is governed by the policy dated 24.04.2020, applicable to the cyclic period 2021–2025. The petitioner was required to submit its renewal application within a stipulated time.
2. The petitioner contends that owing to grave and unavoidable medical

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circumstances including coronary artery disease, angioplasty, bypass surgery and COVID-19 infection suffered by the partner managing the firm, the delay has occasioned. Resultantly, the show cause notice dated 19.08.2021 was issued by respondent no.1. The petitioner was called upon as to why owing to the delay the petitioner's firm should not be removed from the approved list of contractors of Chief Engineer, Southern Command. The petitioner seems to have submitted a comprehensive reply *vide* its letter dated 28.08.2021 explaining the reason for delay. The petitioner's renewal however was rejected *vide* letter dated 08.02.2022, and it was directed that its name be removed from the approved list of contractors. Aggrieved by the said rejection, an appeal was preferred. Since no decision was taken therefore, the petitioner had filed the writ petition. Thereafter *vide* order dated 11.02.2025, the Court directed for disposal of the petitioner's appeal. Pursuant to the Court's direction *vide* impugned order dated 12.01.2026 respondent no.1, while relying upon Clause 7(c) of the Renewal policy, has decided the petitioner's appeal. The impugned order also states that the petitioner in past had not secured even a single government work in the period 2016-2020.

3. If the impugned order is perused, it would indicate certain observations by the respondent no.1, however, in paragraph 4 of the said order, it is indiscernible as to why the reasons put forth by the petitioner did not find favour with the respondent authority. In paragraph 4, the following observations have been made by the authority:

"4. After careful consideration of the above facts and the recommendations of the Registering Authority, it has been concluded that your appeal is not admissible as the reasons you have provided

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do not confirm to the provisions of the Enlistment Policy.”

4. It be also noted that some of the observations made in paragraph 3 do not find place in the show-cause notice which was issued to the petitioner. Had the petitioner being called upon to explain the observations so recorded, he would have certainly brought on record necessary material to justify his cause.
5. Since the submissions and reasons put forth by the petitioner do not appear to have been duly considered by the respondent, the matter requires reconsideration by the said authority.
6. Accordingly, without expressing any opinion on the merits of the case, it is considered appropriate to direct the said authority to reconsider the decision in the light of the submissions made by the petitioner. In the event the petitioner continues to have any grievance, thereafter, the petitioner shall be at liberty to approach the jurisdictional High Court.
7. With these observations, the petition stands disposed of and the impugned order is set aside.
8. Pending application also stands disposed of.

PURUSHAINdra KUMAR KAURAV, J

FEBRUARY 17, 2026

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