



\$~89

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

+ **W.P.(C) 3382/2026 CM APPL. 16222-16223/2026**

**MS LUNAR CONSULTANTS
AND DEVELOPERS**

.....Petitioner

Through: appearance not given
versus

THE VICE CHAIRMAN DDA AND ORS

.....Respondents

Through: Mr. Sanjay Vashishtha, Mr.
Siddhartha Goswami, Advs. with Mr.
Vishal Kumawat, EE, HCD-7, DDA

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% **17.03.2026**

CM APPL. 16223/2026 (for exemption)

1. Allowed, subject to just exceptions.
2. The application is disposed of.

W.P.(C) 3382/2026

3. This petition has been filed with the following prayers:

“a) Issue an appropriate writ, order or direction in the nature of Certiorari thereby quashing the decision of the Respondents declaring the Petitioner technically disqualified in Tender ID No. 2026_DDA_898274_1 issued pursuant to NIT No. 26/EE/HCD-7/DDA/2025-26 (re) dated 12.02.2026.

b) Issue an appropriate writ, order or direction directing the Respondents to reconsider the technical bid of the Petitioner strictly in accordance with the conditions of the Notice Inviting Tender and treat the Petitioner as technically responsive.

c) Issue an appropriate writ, order or direction restraining the Respondents from opening the financial bid or creating third



party rights including award of contract pursuant to the impugned tender.

d) Issue an appropriate writ, order or direction declaring that the action of the Respondents in introducing new conditions during evaluation and applying unequal standards to bidders is arbitrary, discriminatory and violative of Article 14 of the Constitution of India.

e) Pass such other or further order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case in the interest of justice."

4. In substance, the grievance of the petitioner is that the petitioner has been disqualified on technical specifications in respect of a tender issued by the respondents on 12.02.2026. The counsel for the petitioner contests the grounds on which the bid has been rejected. One of the pleas is that despite the representation having been made to the respondents, the same has not been answered till date. He states that the reason for him to file the writ petition is the respondents intend to open the financial bids today at 2:00 P.M.

5. We have heard the counsel for the petitioner and the counsel for the respondents at length.

6. The submission of the learned counsel for the petitioner is that the petitioner has the relevant experience for the tender inasmuch as the work which has been executed by the petitioner to show its eligibility, is identical to the work for which the present tender has been floated.

7. We do not say anything on the rival submissions advanced by the counsel for the parties.

8. Appropriate shall be that the representation submitted by the petitioner is decided by the respondents after giving the representative of the



petitioner a hearing. It is agreed that a hearing shall be given to the representative of the petitioner at 2:00 P.M. by Mr. Vishal Kumawat, Executive Engineer, HCD-7, DDA, Sector-5, Dwarka (Central Nursery).

9. The counsel for the petitioner states that the representative shall appear before the said officer at 2 P.M.

10. It goes without saying that after hearing is given by the aforesaid officer, a reasoned order shall be passed and the same shall be conveyed to the petitioner.

11. If the petitioner is still aggrieved by the decision to be taken by the respondents, liberty shall be with the petitioner to approach this Court in accordance with law.

12. The writ petition is disposed of. Pending application is disposed of.

V. KAMESWAR RAO, J

MANMEET PRITAM SINGH ARORA, J

MARCH 17, 2026/msh