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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P.(C) 3003/2025

M/S GAUTAM ELECTRIC WORKS THROUGH
RAM BARAN GAUTAMPetitioner
Through: Ms. Seema Singh, Adv.

versus

UNION OF INDIA THROUGH ITS ENGINEER -IN-CHIEF
S BRANCH, DIRECTORATE OF CONTRACT
MANAGEMENT, INTERGRATED HQ OF MINISTRY
OF DEFENCE ARMY & ORS.Respondents
Through: Mr. Vikram Jetly, CGSC with
Ms. Shreya Jetly, Adv. and Mr.
Atul Mohan Aggarwal, AGE
Contracts

CORAM:
HON'BLE MR. JUSTICE ANIL KSHETARPAL
HON'BLE MR. JUSTICE AMIT MAHAJAN

% **ORDER**
12.05.2026

CM APPL. 14174/2025 [for exemption]

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

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3. The present writ petition has been filed seeking the following reliefs:

“To pass an Order seeking Writ In The Nature Of/Or In The Nature Of Mandamus To Set Aside The Tender Summary Report Dated 04.02.2024 Qua Petitioner Firm And Thereby Opening The Financial Bid Of The Petitioner Firm before acceptance of tender or providing work Order if found L1(Lowest Bidder).

B) To Pass An Order Seeking Writ In The Nature Of/Or In The Nature Of Mandamus To Restrain The Respondents To Act Upon

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The Adverse Remark “No” Mentioned In W1r Dated 30.11.2024 (Q/E September 2024) And In Subsequent W1r ,If Any Against the Name Of The Petitioner Firm -M/S Gautam Electric Works By The Respondent No.2 As Payment Already made By the Petitioner thereby ammending the adverse remark from No to YES in WLR vide another circular/order and in subsequent WLR thereafter 30.11.2024.

B)To pass an Order/direction to the Respondents to allow Petitioner Firm Seeking Participation in Tender And Further Tender During the Pendency of the Writ Petition.

C) To pass an Pass such further and/ or other order(s)/ direction(s) as may be deemed fit and proper.”

4. The Petitioner’s technical bid was rejected on account of adverse remarks in workload return. Previously, the Petitioner claimed certain amount without performing work in a previous contract.

5. The Petitioner was given Show Cause Notice on 14.07.2023, which was challenged before the High Court of Madhya Pradesh. At that time, the Petitioner also challenged the order suspending the Petitioner’s firm from participating in future tenders. The writ petition was dismissed by the High Court of Madhya Pradesh on 24.07.2024.

6. Thereafter, the Petitioner is stated to have deposited the amount which was illegally claimed for the work which was never performed by the Petitioner.

7. Today, after rejection of technical bid, the work has been allotted to another firm which has also been completed and payment has been made.

8. Learned counsel representing the Petitioner submits that various review petitions filed before the High Court of Madhya Pradesh by various other firms who were similarly situated have been allowed.

9. Once the High Court of Madhya Pradesh has dismissed the Petitioner’s writ petition, then the remedy for relief under Prayer B lies before the High Court of Madhya Pradesh and not before this



Court.

10. Hence, the Petitioner, if so advised, may file review for seeking relief as claimed under Prayer B before the High Court of Madhya Pradesh, if permissible in law.

11. The present writ petition is disposed of in the aforesaid terms.

ANIL KSHETARPAL, J

AMIT MAHAJAN, J

MAY 12, 2026

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