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

\+ W.P.(C) 4141/2026

KM. NEHA .....Petitioner

Through: Ms. Mandavi Pandey, Mr. Vikas Tripathi, Ms. Aanchal Tripathi, Mr. Sanjeet Kumar Mishra and Ms. Shreya Pandey, Advocates.

versus

UNION OF INDIA & ORS. .....Respondents

Through: Mr. Divye Chugh and Ms. Priya Wadhwa, Advocates for R-2 and 3.

CORAM:
HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

O R D E R

% 30.03.2026

CM APPL. 20241/2026 (Exemptions)

1. Exemptions allowed, subject to all just exceptions.

2. Application stands disposed of.

W.P.(C) 4141/2026 and CM APPL. 20242/2026

3. The petitioner is for the following reliefs:

> "*a) Issue a writ of Certiorari quashing the condition prescribing Bank Guarantee of Rs. 58.5 Lakhs in the impugned advertisement (Annexure P-1).*
> *b) Issue a writ of Mandamus or any other appropriate Writ against the Respondents directing the Respondents to revise the 24 Bank Guarantee requirement in accordance with Government Guidelines.*
> *c) Direct issuance of a corrigendum or fresh advertisement with revised conditions.*"

4. The petitioner seeks to challenge the condition of furnishing the Bank Guarantee of Rs. 58.5 Lakhs for engagement of Service Provider at COCO Niti Marg Retail Outlet, New Delhi, as stipulated in the Detailed Advertisement (hereinafter '**impugned order**') issued by respondent no.2-Indian Oil Corporation Limited on 17.08.2025.

5. It be noted that this petition came to be filed only on 21.03.2026. On petitioner's mentioning, the matter has been listed in '*supplementary list*'.

6. The facts of the case would indicate that the impugned advertisement was issued way back on 17.08.2025. The urgency is shown by the petitioner on the pretext that within one or two days, the respondents are finalizing the eligible applicants.

7. It is pointed out by learned counsel who appears for respondent nos. 2 and 3 that the last date for submissions of applications was 17.09.2025 and the eligible applicants were interviewed on 22.01.2026. At this later stage, the challenge is unsustainable.

8. Having considered the overall facts and circumstances, the Court finds that if the petitioner had any grievance, he should have taken appropriate recourse immediately after issuance of the impugned order. In any case, if within a reasonable period of time, the same was not decided, the petitioner should have approached this Court.

9. Even otherwise, the prescription of eligibility conditions, including the advertisement for award, manpower and requirement of furnishing a Bank Guarantee, will have to be decided by the concerned department. The scope of judicial review is limited and does not extend to substituting the Court's view for that of the competent authority, unless the same is shown to be arbitrary, discriminatory, *mala fide* or in violation of statutory provisions.

At this stage, the Court does not find any justification to interfere with the condition of the Bank Gaurantee, as has been imposed by the respondents.

10. For all the aforesaid reasons, finding no justification in the writ petition, the same is dismissed along with pending application.

PURUSHAINDRA KUMAR KAURAV, J

MARCH 30, 2026
Aks/ss