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

+ W.P.(C) 5085/2026 & CM APPL. 24957/2026, CM APPL. 24958/2026

MDS SOLUTIONS PVT LTD

.....Petitioner

Through: Mr. Nikhil Tripathi,
Mr. Upender Kumar Nagar,
Mr. Paritosh Kumar Gupta,
Ms. Vaishnavi Rathoer,
Ms. Sakshi Singh, Advocates.

versus

DBOCWWB

.....Respondent

Through: Mr. Abhay Dixit and
Mr. Harish, Advocates.

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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17.04.2026

1. Through this writ petition, the Petitioner prays for quashing of order passed by the Competent Authority on 10.03.2026, cancelling the tender DATED 29.09.2025 *qua* empanelment of agencies for management of Aadhar Centres under Unique Identification Authority of India (UIDAI) Scheme.

2. The Competent Authority has found various deficiencies/short comings in award of previous tender *qua* empanelment; hence, the tender has been cancelled. The same are reproduced herein below: -

“And whereas, upon such examination, the following shortcomings and deficiencies have been observed in the tender document and bid submitted by you:

- 1. Non-incorporation of revised UIDAI rate list notified on 19.09.2025;*
- 2. Discrepancies in age slabs for mandatory biometric updates;*



3. *Alleged deviation from UIDAI Office Memorandum dated 14.10.2022 regarding the In-house Model;*
- a) *Aadhaar centres must be operated under the direct control and supervision of the Government department/registrar. Private vendors cannot independently run Aadhaar centres.*
- b) *The department must provide or ensure: Premises/space for the Aadhaar centre, Required infrastructure and equipment, Secure network connectivity and compliance with UIDAI standards.*
- c) *Agencies engaged for support services cannot treat Aadhaar centres as commercial projects. They cannot charge fees beyond the rates prescribed by UIDAI.*
4. *Mixing of technical and financial parameters in evaluation;*
5. *Clauses relating to role of empanelled agency in organizing Aadhaar camps;*
- a) *In the tender document certain clauses appear to allow or imply that the **empanelled private agency would organize Aadhaar camps independently**, which creates ambiguity and potential deviation from UIDAI guidelines.*
6. *Non-consideration of UIDAI Circular dated 12.03.2025; and*
- a) *These circulars contain **updated procedures, technical requirements, service charges, operational standards, and compliance conditions** that must be followed by all Registrars and agencies operating Aadhaar centres.*
7. *Inadequate provisions concerning data protection and privacy safeguards.”*

(emphasis in original)

3. The learned counsel representing the Petitioner submits that pursuant to the issuance of tender, the Petitioner invested substantial financial resources, manpower and infrastructure for execution of the project and has thus, suffered damages.

4. The appropriate remedy for claiming damages lies in filing a civil suit rather than a writ petition, as the adjudication of such claims inevitably involves disputed questions of fact that require a full trial and evidentiary examination. Furthermore, the scope of judicial review is strictly limited in instances where the Competent Authority has already determined that the award of a previous tender involved



significant shortcomings and a failure to adhere to guidelines issued by the appropriate authority. In the absence of any specific allegations of *mala fide*, the court must defer to the administrative findings and the corrective measures taken by the Authority, as it is not the role of the judiciary to second-guess technical evaluations or procedural rectifications.

5. No writ can be issued directing the authorities to act contrary to applicable rules and memorandums.

6. Hence, the writ petition stands dismissed. Pending applications also stand disposed of.

7. Needless to observe that the Petitioner, shall have the liberty to file a civil suit for damages or any other appropriate remedy in accordance with law.

ANIL KSHETARPAL, J

AMIT MAHAJAN, J

APRIL 17, 2026

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