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

+ **W.P.(C) 15724/2024**

M/S PRACHI INFRA AND ROADS PVT. LTD.Petitioner

Through: *Appearance not given.*

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Ms. Avshreya Pratap Singh Rudy,
CGSC with Ms. Usha Jamnal, Ms.
Nyasa Sharma and Mr. Ankit Khatri,
Advocates. for UoI.
Mr. Sameer Vashisht, Standing
Counsel (Civil), GNCTD with Ms.
Harshita Nathrani and Ms. Khushboo
Mittal, Advocates.
Mr. Azim H. Laskar, Mr P. Nayak
and Mr. AAG Assam, Advocates.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

ORDER

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16.01.2026

1. The petitioner in the instant petition seeks for the following directions:

“A. To pass a judgment/order and to direct respondents to issue the fresh work experience certificate in the name of the petitioner herein i.e. M/s Prachi Infra and Roads Pvt. Ltd. for 27 W.P.(C)-15724/2024 executing the 100% work of the Project namely "Strengthening of Pavement from Km 61.00 to Km 69.00 and widening of 1.50m Paved Shoulder on either side and strengthening from Km 103.00 to Km 106.00 under Annual plan for the year of 2018-19 under Golaghat NH division in the state of Assam on EPC mode. Job No. 039/AS/2018-19/186.....”



2. Learned counsel for the petitioner, during the course of arguments, submitted that pursuant to the directions passed by the Division Bench of this Court in LPA No. 195/2024, the Central Bureau of Investigation (CBI) conducted an enquiry and submitted a Status Report dated 23.09.2024. According to learned counsel, in view of the findings recorded by the CBI, the petitioner has become entitled for the issuance of a performance certificate/work experience certificate.
3. Upon a *prima facie* consideration of the facts, it appears that the original contractor was one Kanti Prashad Mittal, and the petitioner was functioning as a sub-contractor under him. The executing authority was the National Highways Public Works Department (NHPWD), Assam. The issue as to who actually performed the work and whether any of the parties is entitled to a performance certificate/work experience certificate, will have to be first adjudicated by the competent authority of the NHPWD. It shall be for the said authority to examine all relevant aspects of the matter, including the applicable binding directions and the reports submitted by the CBI.
4. Accordingly, the competent authority of the NHPWD shall take up the issue and determine whether the petitioner is entitled for the issuance of a performance certificate/work experience certificate. The petitioner is, therefore, permitted to submit a comprehensive representation before the said authority, and upon receipt of such representation, the competent authority shall pass an appropriate reasoned order in accordance with law. In the event the authority deems it appropriate to hear the original contractor, the said exercise shall also be carried out before taking a final decision.
5. The aforesaid exercise shall be completed within a period of three (3) months from the date of receipt of the petitioner's representation.



6. With the aforesaid direction, the petition stands disposed of.

PURUSHAINdra KUMAR KAURAV, J

JANUARY 16, 2026/SH