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

% *Date of Decision : 12th January, 2026.*

+ W.P.(C) 271/2026 CM APPL. 1215/2026

J K EXIM PRIVATE LIMITED

.....Petitioner

Through: Mr. Raj Shekhar Rao, Senior Adv.,
Mr. Jairaj Singh, Adv.

versus

UNION OF INDIA & ORS.

.....Respondent

Through: Mr. Sarvesh P. Shrivastava, GP, Mr.
Premtosh K. Mishra, CGSC, Mr.
Shrey Sharma, Adv. for UOI.
CMM D.S. Ramu, Northern Railway,
for R1,2&3.

Mr. Sachin Puri, Senior Adv, Mr.
Balvindra Ralhan, Mr. Aditya Ralhan,
Ms. Aashna Bhola, Mr. Fardeen
Khan, Mr. Abhishek Singh, Adv. for
R-4.

Mr. Madhav Saraswat, Mr. R. Mittra,
Adv. for R-5&6.

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

V. KAMESWAR RAO , J. (ORAL)

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

“In view of the facts and circumstances and based on the grounds set-forth hereinabove it is most respectfully prayed that this Hon'ble Court may be pleased to:

i. issue a writ of Prohibition or any other appropriate writ, order or direction prohibiting the Respondent No.



2 from awarding the contract pursuant to E-Tender No. 07255039 for Retro-Fitment of Supply, Installation and Commissioning of Automatic Swing (Swivelling) Type Door Locking and Opening Mechanism in the Rakes (**ANNEXURE- P3**) to the Respondent Nos. 4, 5 and 6;
ii. issue a writ of Mandamus or any other appropriate writ, order or direction to the Respondent Nos. 2 to disqualify the Respondent Nos. 4, 5 and 6 in respect of E-Tender No. 07255039 for Retro-Fitment of Supply, Installation and Commissioning of Automatic Swing (Swivelling) Type Door Locking and Opening Mechanism in the Rakes (**ANNEXURE - P3**) in terms of Rule 175 of the GFR as applicable to the ITT and the Retro-fitment Tender read with the Respondent No.1's advisory issued by way of Letter No. 2021/RS(G)/779/11 dated 6th September 2023 (**ANNEXURE - PII**);
iii. issue a writ of Mandamus or any other appropriate writ, order or direction to the Respondent No.2 to award the contract to the Petitioner upon becoming lowest bidder pursuant to the disqualification of the Respondent Nos. 4, 5 and 6 in respect of E-Tender No. 07255039 for Retro-Fitment of Supply, Installation and Commissioning of Automatic Swing (Swivelling) Type Door Locking and Opening Mechanism in the Rakes (**ANNEXURE - P3**);
iv. award costs in favour of the Petitioner and against the Respondents.”

2. The submission of Mr. Raj Shekhar Rao, learned Senior Counsel for the petitioner, is that the instructions to tender, which refer to the Code of Integrity, mandate that neither any official of the procuring entity nor any bidder shall act in contravention thereof. The Code of Integrity expressly prohibits any collusive, bid-rigging or anti-competitive conduct that may impair the transparency, fairness, or integrity of the procurement process.
3. It is his submission that respondent nos. 4, 5 and 6 are related parties



and therefore, if respondent no.4 has bid for bulk order, respondent no.5 and 6 have bid for the development order, respondent nos. 5 and 6 shall not be eligible to bid for the development part of the tender.

4. The learned counsel for respondent nos. 1, 2 and 3 on instructions, from the officer, namely, Mr. D. S. Ramu, Chief Materials Manager, Northern Railway, states that no decision on the tender has been taken by the tender committee.

5. He states that the tender committee will consider the stand taken by the petitioner in the writ petition, particularly in the context of conflict of interest in bidding for the tender by respondent nos. 5 and 6, and take a decision in accordance with the instructions governing the subject.

6. In view of the submission made by the learned counsel for the railways, we are of the view that the present petition is premature. The petition needs to be disposed of, giving liberty to the parties to agitate grievance, if any, after a decision is taken by the tender committee in accordance with law.

7. Accordingly, the petition along with pending application(s), are disposed of.

V. KAMESWAR RAO, J

MANMEET PRITAM SINGH ARORA, J

JANUARY 12, 2026/tg