

\$~12

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

+ W.P.(C) 15154/2021 & CM APPLs. 47744/2021, 47745/2021

SYNERGY WASTE MANAGEMENT PVT LTD. .... Petitioner

Through: Mr. Ajay, Mr. Gaurav, Ms. Veena,  
Advs.

versus

GOVT OF NCT OF DELHI & ORS. .... Respondents

Through: Mr. Sameer Vashisht, ASC CIVIL  
GNCTD with Ms. Sanjana Nangia, Ms. Mahima,  
Advocates for R-1 to 3

Mr. Balendu Shekhar, Mr. Rajkumar Maurya, Mr.  
Vijayant Sharma, Mr. Divya Prakash Chaubey,  
Mr. Dinesh Jindal, Advs. for DPCC

**CORAM:**

**HON'BLE MR. JUSTICE VIPIN SANGHI**

**HON'BLE MR. JUSTICE JASMEET SINGH**

**ORDER**

%

**24.12.2021**

The grievance raised by the petitioner is that though the petitioner has been declared to be technically disqualified in response to the tender for setting up of Common Bio-medical Waste Treatment and Disposal Facility in Region-1 and Region-2, no reasons for the petitioner's technical disqualification have been disclosed by the respondents.

Time and again, we have observed in various matters that whenever a bidder is declared to be technically disqualified, the Tender Inviting Authority should disclose the reasons, if only summarily to the bidder for its disqualification as that not only saves unnecessary approach to the Court by the aggrieved bidder, but also enables the Court to take a call on whether or

not to interfere in the matter, and to grant interim orders in relation to the tender. Unfortunately, our orders have fallen on deaf ears.

Issue notice. Learned counsel for the respondent accepts notice. The respondent is directed to file a short affidavit disclosing the reasons for the petitioner's technical bid being declared non-responsive, and being rejected. The original record of the Technical Evaluation Committee should also be kept available on the next date of hearing.

List on 28.01.2022. It is made clear that no adjournment shall be granted on the next date.

In the meantime, the respondent shall not proceed to award the tender in question.

**VIPIN SANGHI, J**

**JASMEET SINGH, J**

**DECEMBER 24, 2021/ 'ms'**