
(2021) 12 UK CK 0016

In the Uttarakhand High Court

Case No : Writ Petition (M/S) No. 2534 Of 2021

M/s Svasca Industries India Ltd

APPELLANT

Vs

Uttarakhand PowerCorporation Ltd. & Another

RESPONDENT

Date of Decision : 03-12-2021

Acts Referred:

Citation : (2021) 12 UK CK 0016

Hon'ble Judges : Manoj Kumar Tiwari, J

Bench : Single Bench

Advocate : Bhupesh Kandpal, Dharmendra Barthwal

Final Decision : Disposed Of

Judgement

Manoj Kumar Tiwari, J

1. Petitioner is a Small Scale Industry, which is registered as M.S.M.E. Petitioner is aggrieved by an order dated 25.11.2021 passed by Superintending Engineer Corporate (Contract & Procurement-II), Uttarakhand Power Corporation Ltd. By the said order, the additional 5% security of Rs. 15,35,000/-submitted by the petitioner has been forfeited and the L.O.I. issued to him on 22.05.2021 has been cancelled. Moreover, petitioner has been blacklisted from participating in future tenders of U.P.C.L. for a period of one year.

2. Learned counsel for the petitioner submits that, due to lockdown imposed in view of COVID-19 Pandemic, petitioner could not produce Type Test Report within time. He further submits that Type Test Report is ready with the petitioner and the impugned order has been passed without considering relevant aspects. He further submits that the impugned order has serious consequences to the petitioner unit. He submits that petitioner has already made a representation to the Competent Authority in U.P.C.L., who may be directed to take decision thereupon at the earliest.

3. Learned counsel for the respondents submits that petitioner's representation is

addressed to Chairman, U.P.C.L.; while, he should have made representation to Managing Director.

4. Accordingly, the writ petition is disposed of with liberty to petitioner to make fresh representation to Managing Director, U.P.C.L. If such representation is made within one week from today, decision thereupon shall be taken within two weeks from the date of receipt of representation alongwith certified copy of this order.

5. Let a certified copy of this order be issued today itself.