

(2026) 08 UK CK 2649

In the Uttarakhand High Court

Case No : WRIT PETITION (M/B) NO. 478 OF 2025

Ram Singh Kholiya

APPELLANT

Vs

State Of Uttarakhand & Ors.

RESPONDENT

Date of Decision : 04-08-2026

Acts Referred:

Citation : (2026) 08 UK CK 2649

Hon'ble Judges : Manoj Kumar Gupta, C.J.; Subhash Upadhyay, J

Bench : Division Bench

Advocate : Mr. Dushyant Mainali, Mr. B.S. Parihar, Mr. Ketan Joshi

Final Decision : Disposed Of

Judgement

(per Sri Manoj Kumar Gupta, C.J.)

1) Aforementioned writ petitions have been filed by the petitioner Ram Singh Kholiya seeking to question the decision dated 19.06.2025 of the Tender Evaluation Committee rejecting the technical bids of the petitioner.

2) By order dated 08.07.2025, a Co-ordinate Bench after holding that the ground on which the technical bid was rejected was merely a minor discrepancy directed the respondents to open the financial bid of the petitioner.

3) On the next date i.e. 22.07.2025, it was submitted on behalf of the private respondent that he had filed a complaint pointing out various other discrepancies in the technical bid of the petitioner but in view of the direction given by this Court the official respondents were declining to examine his complaint. The Court permitted the official respondents to examine the complainant of the private respondent and place on record their opinion with regard to the same.

4) Pursuant to the aforesaid liberty, the official respondents have filed a compliance affidavit and, along with which, they have brought on record their observations and opinion with regard to the objections taken by the private respondent. The objections at Sl. Nos. 1, 3, 5 and 6 have been accepted,

whereas the other objections have been held to be untenable.

5) Learned counsel for the petitioner submits that the aforesaid opinion would not amount to any order by the Technical Evaluation Committee. He further submits that even if the same is taken to be a decision, the petitioner having not been granted any opportunity of hearing, the same is not sustainable in law.

6) Learned Additional Chief Standing Counsel appearing for the official respondents submits that liberty be granted to the official respondents to take appropriate decision on basis of the objections filed by the private respondent. He further submits that the petitioner would be provided opportunity of hearing before any decision is taken in the matter.

7) Accordingly, all the writ petitions are disposed of with direction to the official respondents to take appropriate decision on the objections of the private respondent after hearing the petitioner. The entire exercise in this regard shall be completed within four weeks from the date of communication of the instant order.

8) Pending application(s), if any, also stand disposed of.