



IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

HON'BLE THE CHIEF JUSTICE SRI MANOJ KUMAR GUPTA
AND
HON'BLE SRI JUSTICE SUBHASH UPADHYAY

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

04TH AUGUST, 2026

Ram Singh Kholiya Petitioner
Versus
State of Uttarakhand and others Respondents

WITH

WRIT PETITION (M/B) NO. 480 OF 2025

Ram Singh Kholiya Petitioner
Versus
State of Uttarakhand and others Respondents

WITH

WRIT PETITION (M/B) NO. 481 OF 2025

Ram Singh Kholiya Petitioner
Versus
State of Uttarakhand and others Respondents

Counsel for the petitioner : Mr. Dushyant Mainali, learned counsel
Counsel for the respondents : Mr. B.S. Parihar, learned Additional Chief Standing Counsel the State / respondent Nos. 1 to 4
: Mr. Ketan Joshi, learned counsel for respondent Nos. 5 and 6

**The Court made the following:****JUDGMENT:** (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



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weeks from the date of communication of the instant order.

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

MANOJ KUMAR GUPTA, C.J.

SUBHASH UPADHYAY, J.

Dt: 04th AUGUST, 2026
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