
(2022) 02 UK CK 0141

In the Uttarakhand High Court

Case No : Writ Petition (M/S) No. 339 Of 2022

S.S. Medical Systems (India) Pvt. Ltd

APPELLANT

Vs

State Of Uttarakhand & Others

RESPONDENT

Date of Decision : 25-02-2022

Acts Referred:

Citation : (2022) 02 UK CK 0141

Hon'ble Judges : Manoj Kumar Tiwari, J

Bench : Single Bench

Advocate : Menka Tripathi, Suyash Pant

Final Decision : Dismissed

Judgement

Manoj Kumar Tiwari, J

1. Petitioner participated in a tender process. His bid was declared to be technically non-responsive; while, respondent nos. 4 & 5 were found to be technically responsive. Thus, feeling aggrieved, petitioner has filed this writ petition, seeking following reliefs:

“(a) A writ, order or direction in the nature of certiorari quashing the order/action by which the petitioner has been disqualified in the technical bid, as contained in Annexure No. 5 to the writ petition, after summoning the same from the respondent department.

(b) A writ, order or direction in the nature of mandamus directing the respondent no. 1 to qualify the petitioner in the technical evaluation bid after verification of the documents submitted by the petitioner along with the Bid Document;

(c) A writ, order or direction in the nature of mandamus directing the respondent no. 1 to disqualify and reject the technical bid of the respondent no. 4 and respondent no. 5, which is in violation of clause 5.1.4(viii), Chapter 5 of GFR manual for Procurement of Goods 2017.”

2. Mr. Suyash Pant, learned Standing Counsel appearing for the State submits that the Competent Authority has taken a decision to cancel the tender process and fresh Notice Inviting Tender would be issued shortly. In support of his submission, Mr. Pant has produced in Court a communication dated 24.02.2022, received by him from the office of Principal, Govt. Doon Medical College, Dehradun, which is taken on record.

3. Since the tender process itself has been cancelled, therefore, the reliefs, as claimed in the writ petition do not survive.

4. Accordingly, the writ petition is dismissed as infructuous with liberty to petitioner to approach this Court, as and when the cause of action arises.