

ITEM NO.2 Court 14 (Video Conferencing)

SECTION XVI

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No. 19132/2021

(Arising out of impugned final judgment and order dated 16-08-2021 in MAT No. 780/2021 passed by the High Court at Calcutta)

JCS SERVICES PRIVATE LIMITED

Petitioner(s)

VERSUS

THERMO FISHER SCIENTIFIC INDIA
PRIVATE LIMITED & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.149740/2021-FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.149739/2021- FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 11-03-2022 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DINESH MAHESHWARI
HON'BLE MR. JUSTICE VIKRAM NATH

For Petitioner(s) Mr. S. B. Upadhyay, Sr. Adv.
Mr. Avijit Roy, AOR

For Respondent(s) Mr. K.V. Vishwanathan, Sr. Adv.
Mr. R Sudhinder, Adv
Ms. Prerana Amitabh, Adv.
Mr. Soorjya Ganguli, Adv.
Mr. Somdutta Bhattacharya, Adv.
Mr. Chanan Parwani, Adv.
Mr. R Gopalakrishnan, AOR

Mr. Jayant K. Sud, ASG
Mr. Ashok Panigrahi, Adv.
Ms. Mehul Milind Gupta, Adv.
Mr. Praneet Pranav, Adv.
Mr. Mehul Gupta, Adv.
Ms. M. Shukla, Adv.
Mr. Gurmeet Singh Makker, AOR
Mr. Ashok Panigrahi, Adv.
Mr. Mehul Gupta, Adv.
Mr. O. P. Shukla, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Issue notice.

Mr. R. Gopalakrishnan, learned Advocate-on-Record accepts notice for respondent Nos.1 and 2 and Gurmeet Singh Makker, learned Advocate-on-Record accepts notice for respondent Nos.3 and 4.

After having preliminary heard Mr. S. B. Upadhyay, learned senior counsel for the petitioner, Mr. K. V. Vishwanathan, learned senior counsel for respondent Nos. 1 and 2 (writ petitioners) and Mr. Jayant K. Sud, learned ASG for the respondent Nos. 3 and 4, we have expressed *prima facie* reservations as regards the order impugned passed by the Division Bench of the High Court and the directions issued therein, in relation to the tender process in question.

Having regard to the circumstances of the case and the nature of tender process, it is considered appropriate and hence, ordered that until further orders, the operation and effect of the impugned order dated 16.08.2021 as passed by the Division Bench of the High Court of Calcutta in MAT No. 780 of 2021 with CAN No. 1 of 2021 shall remain stayed.

In sequel, it would be open for the respondent No. 4- Geological Survey of India to proceed ahead with the tender process as deemed fit and appropriate, of course, in accordance with law; and pendency of this petition shall not be of any impediment in their taking necessary decisions in relation to the tender process.

During the course of submissions, we have also been informed that another petition has been filed by the Union of India, challenging the order impugned. The particulars thereof may be supplied to the Registry and both these petitions be listed together on the next date of hearing.

As agreed to by learned counsel for the parties, list the matters on 01.04.2022.

(SHRADDHA MISHRA)
SENIOR PERSONAL ASSISTANT

(RANJANA SHAILEY)
COURT MASTER (NSH)