

ITEM NO.2

COURT NO.9

SECTION XIV

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(s).6905/2020

[Arising out of impugned final judgment and order dated 19-07-2019 in WP(C) No.1242/2019 passed by the High Court of Delhi at New Delhi]

GTB HOSPITAL & ANR.

Petitioner(s)

VERSUS

WELL PROTECT MANPOWER SERVICES PVT. LTD.

Respondent(s)

(FOR ADMISSION and I.R. and IA No. 51076/2020 - EXEMPTION FROM FILING AFFIDAVIT and IA No. 41498/2020 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

WITH

SLP(C) No. 6742/2020 (XIV)

(IA No. 56227/2020 - EXEMPTION FROM FILING AFFIDAVIT and IA No. 42804/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Diary No(s). 22696/2020 (XIV)

(IA No. 117739/2020 - CONDONATION OF DELAY IN FILING)

Diary No(s). 25178/2020 (XIV)

(IA No. 123412/2020 - CONDONATION OF DELAY IN FILING and IA No. 123410/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 04-02-2025 These matters were called on for hearing today.

CORAM : HON'BLE MS. JUSTICE BELA M. TRIVEDI
HON'BLE MR. JUSTICE PRASANNA B. VARALE

For Petitioner(s) : Mr. Vikramjeet Banerjee, A.S.G.
Mr. Mukesh Kumar Maroria, AOR

Mr. Shreekant Neelappa Terdal, AOR

For Respondent(s) : Mr. Rajesh Kumar Chaurasia, AOR
Mr. Mohinder Madaan, Adv.

Mr. Kaushik Choudhury, AOR

Mr. S.B.Upadhyay, Sr. Adv.
Mr. Rameshwar Prasad Goyal, AOR

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

1. Delay, if any, is condoned in all the SLPs.
2. Heard learned counsel for the parties.
3. It appears that by the impugned order, the High Court had disposed of the writ petitions, which is the subject matter of the instant SLPs, by observing *inter alia* that the respective respondents in the SLPs, who were the writ petitioners in the writ petitions, were successful in the subsequent GeM Tenders. Accordingly it was directed by the High Court that if the said respondents are found to be eligible, they would be awarded the tender and the order of re-tendering would stand quashed.
4. It is significant to note that by virtue of the interim order passed on 27.05.2020 by this Court in SLP (C) No.6905 of 2020, the operation of the common impugned order was stayed. The other SLPs arising out of the said common impugned order were also tagged alongwith SLP (C) No.6905 of 2020.
5. The impugned order having been passed on 19.07.2019, in respect of the challenge to the e-tenders invited on 06.07.2018, for deploying security guards and security supervisors, in the premises of six hospitals, and the said impugned order having been stayed by this Court by the interim order on 27.05.2020, in our opinion, the very cause of action of the writ petitions do not survive.

6. Hence, without expressing any opinion on the merits of the case, we hereby dispose of all the SLPs as they do not survive.

7. We clarify that the petitioners shall be at liberty to proceed further with the tender process afresh and in accordance with law, and that all the respondents shall be at liberty to participate in the tender process that may be initiated by the petitioners.

8. Subject to the above, all the Special Leave petitions stand disposed of.

9. Pending applications, if any, shall also stand disposed of.

(RAVI ARORA)
COURT MASTER (SH)

(MAMTA RAWAT)
COURT MASTER (NSH)