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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 15034/2025 & CM APPL. 61929/2025**

ERA INFRA ENGINEERING LIMITED

.....Petitioner

Through: Mr.Dayan Krishnan, Sr.Adv with
Mr.Apoorv Agarwal Ms.Priya Singh
Ms.Manvi Jain, Ms.Astha Singh,
Mr.Aditya Rajagopal and Mr.Anuj
Maheshwari, Advs.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr.Chetan Sharma, ASG with Mr.Vikram
Jetly, CGSC, Ms.Shreya Jetly and
Mr.Amit Gupta, Advs for R-1 & 3.
Mr.R.Venkat Prabhat, Mr.Neeraj Paulose
Raj, Ms.Kamna Behrani and Mr.Ansh
Karla, Advs for R-2

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

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17.10.2025

1. Mr.Vikram Jetly, learned CGSC, places before us certain instructions which are contained in the letter dated 10.10.2025 of the Ministry of Finance, Department of Expenditure, Procurement Policy Division. The said letter dated 10.10.2025 is taken on record.
2. It has been stated in the said letter that as regards inclusion of Insolvency and Bankruptcy Code, 2016 ('IBC, 2016') for listing the laws affecting the procurement, and a public procurement professional is expected to be generally aware of the implications of such laws. The letter further states that the same is being incorporated/included in the Manual for Procurement of Works which is under revision.



3. We appreciate the stance taken by the Ministry of Finance, Department of Expenditure, Procurement Policy Division as the concerns expressed in our order dated 28.08.2025 which have been acknowledged, and accordingly, Manual for Procurement of Works is under revision.
4. After enforcement of IBC, 2016 there are many corporate entities which are undergoing Corporate Insolvency Resolution Process ('CIRP') and as already under scored in our order dated 28.08.2025 the purpose of such resolution process is the revival and nothing else. We expect the Ministry concerned to review the said Manual appropriately at the earliest.
5. List on 28.10.2025, to enable learned counsel representing the respondent to seek instructions as to within which minimum possible time the process relating to revision of the Manual for Procurement of Works shall be completed.
6. The matter be placed 'High on Board'.

DEVENDRA KUMAR UPADHYAYA, CJ

TUSHAR RAO GEDELA, J

OCTOBER 17, 2025/MJ