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

+ **W.P.(C) 15140/2025**

Date of Decision: 23.03.2026

IN THE MATTERS OF:

SAI ETERNAL FOUNDATION

.....Petitioner

Through: Mr.Tarun Johri, Mr.Ankur Gupta,
Mr.Vishwajit Tyagi Advocates.

versus

NATIONAL HIGHWAYS LOGISTICS MANAGEMENT LTD.
(NHLML)

.....Respondent

Through: Mr. Arun Kumar Varma, Sr.
Advocate with Mr. Abhishek Kumar,
Advocate.
Mr. Prashant Jain, V.P. Ropeways in
person.

+ **W.P.(C) 18200/2025**

SAI ETERNAL FOUNDATION

.....Petitioner

Through: Mr.Tarun Johri, Mr.Ankur Gupta,
Mr.Vishwajit Tyagi Advocates.

versus

NATIONAL HIGHWAYS LOGISTIC MANAGEMENT LTD

.....Respondent

Through: Mr. Arun Kumar Varma, Sr.
Advocate with Mr. Abhishek Kumar,
Advocate.
Mr. Prashant Jain, V.P. Ropeways in
person.



AND

+ W.P.(C) 19630/2025

SAI ETERNAL FOUNDATION

.....Petitioner

Through: Mr.Tarun Johri, Mr.Ankur Gupta,
Mr.Vishwajit Tyagi Advocates.

versus

NATIONAL HIGHWAYS LOGISTIC MANAGEMENT LTD.
(NHLML)

.....Respondent

Through: Mr. Arun Kumar Varma, Sr.
Advocate with Mr. Abhishek Kumar,
Advocate.
Mr. Prashant Jain, V.P. Ropeways in
person.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

JUDGEMENT

PURUSHAINDRA KUMAR KAURAV, J. (ORAL)

1. These three writ petitions, having the same parties, common facts, and overlapping issues are being decided by this common order.
2. The respondent-National Highways Logistics Management Ltd. ("**NHLML**") seems to have floated tenders for the Development, Operation and Maintenance of Dhosi Hill Ropeway, in Haryana; ropeway from SDA Parking to Shankaracharya Temple in Jammu and Kashmir; and ropeway between Shankar Viman Mandapam and Triveeni Pushp at Prayagraj, Uttar Pradesh ("**Projects**"). Upon the petitioner submitting its bids, Letter of Awards dated 14.03.2024, and 23.01.2024 were issued by the NHLML.



3. Thereafter, it appears that on account of the non-availability of European suppliers, the requirement under the Request for Proposal (“**RFP**”) of having an agreement with a Original Equipment Manufacturer (“**OEM**”), could not be complied with. Taking cognisance of the aforesaid, NHLML passed the Impugned Orders, whereby, the Bid Security submitted by the petitioner for each of the Projects have been forfeited and the Letters of Award have been cancelled.

4. Concomitantly, with the petitioner being unable to undertake the projects, the Projects were put for fresh bids. The bids were, thereafter, accepted and the work is being carried out by the successful bidder. It be noted that one of the projects i.e., ropeway from SDA Parking to Shankaracharya Temple in Jammu and Kashmir has been scrapped.

5. The petitioner contends that European companies had formed a Cartel and, thus, he could not get an agreement with an OEM.

6. Though, the respondent-NHLML has attempted to justify the Impugned Orders, however, under the facts of the present case, the Court finds that the non-availability of OEM, is not attributable to the petitioner. The Court, therefore, deems it appropriate to direct the respondent-NHLML to consider for the release of the Bid Security amounts for the respective Projects, in favour of the petitioner.

7. Accordingly, it is directed that the respondent-NHLML shall consider the release of the bids security amount with due expedition.

8. It is made clear that this order shall not serve as a precedent in any



future cases.

9. The undertaking of the petitioner is also placed on record that it will forego the interest of the said amount.

10. With the aforesaid observations, the instant petitions stand disposed of.

PURUSHAINDRA KUMAR KAURAV, J

MARCH 23, 2026

Nc