

GAHC010007102026



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THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/325/2026

MAA TOUR AND TRAVELS AND ANR
A PROPRIETORSHIP FIRM REPRESENTED BY ITS PROPRIETOR NAMELY
ANUJ KALLITA, SON OF KAMALESWAR KALITA, RESIDENT OF H/NO. 41,
LAKHI MANDIR PATH, NEAR KRISHNANAGAR HIGH SCHOOL,
JAPORIGOG, GUWAHATI- 05, KAMRUP METRO, ASSAM

2: BISWAJIT DAS
A PROPRIETORSHIP FIRM REPRESENTED BY ITS PROPRIETOR NAMELY
BISWAJIT DAS
SON OF NARENDRA NATH DAS
RESIDENT OF H. NO. 30
SANTIPUR
MAIN ROAD
BHARALUMUKH
GUWAHATI- 09
KAMRUP METRO
ASSA

VERSUS

THE STATE OF ASSAM AND 5 ORS
REPRESENTED THROUGH THE CHIEF SECRETARY TO THE GOVT. OF
ASSAM, DISPUR, ASSAM

2:CHIEF GENERAL MANAGER (PP AND D) ASSAM POWER DISTRIBUTION
CORP. LTD.

6TH FLOOR
BIJULEE BHAWAN
PALTANBAZAR
GUWAHATI- 01.

3:MANAGING DIRECTOR
APDCL

BIJULEE BHAWAN
PALTANBAZAR
GHY-1

4:CHAIRMAN OF APDCL
AEGCL
APGCL BIJULEE BHAWAN
PALTANBAZAR
GHY-1

5:COMMISSIONER AND SECRETARY
GOVT. OF 6. ASSAM
DEPARTMENT OF POWER (ELECT)
ASSAM SECRETARIAT
DISPUR
GUWAHATI-06.

6:THE BID EVALUATION COMMITTEE
REPRESENTED BY THE CHAIRMAN BIJULEE BHAWAN
PALTANBAZAR
GHY-1

Advocate for the Petitioner : MR D K NATH, MS B SHARMA,MS M DAS
Advocate for the Respondent : SC, APDCL, GA, ASSAM

BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI

ORDER

27.01.2026

Heard Shri D.K. Nath, learned counsel for the petitioners, who are aggrieved by a tender process initiated by the APDCL for procurement of vehicles. Amongst others, it has been contended that the value of the tender has been unreasonably increased which led to corresponding increase in the requirement of EMD, Annual Turn Over, Security Deposit etc. He has also highlighted that there is no exemption to the Micro and Small Units.

The learned counsel has specifically submitted that the earlier tender was settled with the petitioner no. 1 at an approximately value of Rs.4(four) Crores

and without there being any substantial change and the nature of procurement, the amount has been increased to Rs.18(eighteen) Crores for which, the petitioners could not be in a position to participate in the same.

When this matter had come up for consideration on 22.01.2026, this Court had directed Shri KP Pathak, learned Standing Counsel, APDCL to obtain instructions.

Shri Pathak, learned Standing Counsel, APDCL has submitted that instructions have been received as per which, this issue was raised in the pre-bid meeting and was considered. He has however submitted that financial bids have not been finalized as yet.

Let notice be issued, returnable on 11.02.2026.

Shri K. Gogoi, learned State Counsel accepts notice on behalf of the respondent nos. 1 & 5 and Shri KP Pathak, learned Standing Counsel, APDCL accepts notice on behalf of the respondent nos. 2, 3, 4 & 6. Extra copies of the writ petition be served upon the learned counsel for the respondents by tomorrow.

Shri Nath, learned counsel for the petitioners prays for an interim order.

Considering the facts and circumstances and by balancing the equities, it is provided that till the next date i.e. 11.02.2026, price bids of the bidders shall not be opened and no final order of allotment be passed.

List on 11.02.2026.

JUDGE

Comparing Assistant