

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 2358 of 2026**

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SHREE UMIYA SURGICAL PRIVATE LIMITED

Versus

GUJARAT MEDICAL SERVICES CORPORATION LIMITED

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Appearance:

MR MITUL SHELAT SR. COUNSEL with MR HITESH M SABHNANI(10731)
for the Petitioner(s) No. 1

MR UTKARSH R SHARMA(6157) for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE ANIRUDDHA P. MAYEE**Date : 24/02/2026****ORAL ORDER**

Heard the learned senior counsel Mr. Mitul Shelat for the petitioner.

It is submitted that the petitioner had submitted its bid for various items and the dispute pertains to item being "Pencil point Spinal needle No.25G" having item code No.4328 and item being "Pencil point Spinal needle No.27G" having item code No.4329, for which, the technical bid was opened on 16.01.2024. It is submitted that since the bid was valid for six months, the respondent Corporation requested to extend the validity of the tender for another two months. The petitioner agreed to the same and thereafter, the petitioner was issued an acceptance letter dated 11.10.2024 for item Nos.4328 and 4329. The petitioner submitted a representation stating that quoted rates are for one piece only and not for 50 pieces. That thereafter, the petitioner was issued the notice dated 04.12.2024 for non-submission of agreement and non-submission of security deposit. Accordingly, the respondent

Corporation issued show cause notice dated 20.02.2025 stating that non-submission of agreement and security deposit within stipulated time violates tender condition No.F(6). The learned senior counsel further submits that thereafter, the petitioner was granted a hearing in furtherance of the show cause notice. That thereafter, the respondent Corporation has issued the debarment circulars dated 07.03.2025 debarring the petitioner for a period of one year for item Nos.4328 and 4329. The learned senior counsel submits that they have received the recovery notice dated 10.08.2025 stating that the purchase made from the substitute rate contract holder will be recovered from the petitioner company in accordance with the tender condition No.F(6) and J-5(a). The learned senior counsel further submits that the petitioner made a representation which came to be rejected by the respondent Corporation. It is submitted that the debarment circulars are non-speaking and do not reflect consideration of the submissions made by the petitioner in reply to the show cause notice. The learned senior counsel further submits that the respondent Corporation has thereafter recovered a sum of Rs.19,69,927/- from the pending bills of other contracts.

Issue Notice, returnable on 24.03.2026. The learned counsel Mr. Utkarsh Sharma waives service of notice on behalf of the respondent Corporation.

In the meantime, there shall be ad-interim relief in terms of prayer clause 10(C) till the next date of hearing.

(ANIRUDDHA P. MAYEE, J.)

cmk

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: CHANDRASHEKHAR MAHESHKUMAR KOSHTI(HC01066), Principal Pvt. Secretary, at High Court of Gujarat on 24/02/2026 17:45:49