

  
**HIGH COURT OF JUDICATURE FOR RAJASTHAN**  
**BENCH AT JAIPUR**

S.B. Civil Writ Petition No. 6119/2025

M/s A B Diagnostics

----Petitioner

Versus

State Of Rajasthan

----Respondent

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|                   |   |                                                                                                 |
|-------------------|---|-------------------------------------------------------------------------------------------------|
| For Petitioner(s) | : | Mr. Harsh Sharma                                                                                |
| For Respondent(s) | : | Mr. Archit Bohra, through VC with<br>Mr. Prakhar Jain<br>Mr. Ajatshatru Mina<br>Mr. Kapil Kumar |

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**HON'BLE MR. JUSTICE SAMEER JAIN**

**Order**

**23/09/2025**

The present petition is filed against the disturbed findings given by First Appellate Authority under RTPP Act and Second Appellate Authority, which are against the petitioner.

Learned counsel for the petitioner has drawn attention of this Court at '*page 40*' of the present petition, more specifically at Condition No. 9 and Technical conditions. Relying upon the same, counsel for the petitioner has contended that onerous condition is imposed for making a purchase from an authorized person, which is not defined. It is further submitted that same is against the public policy, the vision of the country of '*Atmanirbhar Bharat*' and against the reasons and grounds specified in the appeal and the petition.

Learned counsel for the respondents has drawn attention of this Court upon Annexure-R/6/1 at '*page 235*' of the petition, and has submitted that letter addressed to Medical Superintendent and

Member Secretary, makes it evident that only the respondents are authorized to supply the goods in question as asked for in the tender.

Considering the foregoing facts and circumstances, this Court is of the view that matter requires consideration whether documents like Annexure-R/6/1 can be put as a condition to impose restrictions upon the Indian supplier.

Learned counsel for the petitioner is directed to implead Union of India as party in the array of respondents.

Amended cause title be filed by the next date of hearing.

Counsel for the petitioner is also directed to supply an advance copy of the petition in the office of Additional Solicitor General, during course of the day.

List the matter on 07.10.2025 in the supplementary cause-list.

Interim order, if any, to continue.

Concerned Officer In-Charge is directed to remain present in the Court alongwith records and the documents, wherein, such type of conditions were proposed and the records reflecting that how such conditions are proposed.

(SAMEER JAIN),J