

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 6599/2026

M/s Ssan Construction

-----Petitioner

Versus

Bharat Sanchar Nigam Ltd.

-----Respondent

For Petitioner(s)	:	Mr. Rahul Lodha
For Respondent(s)	:	Mr. Bharat Vyas, ASG with Ms. Anima Chaturvedi

HON'BLE MR. JUSTICE SAMEER JAIN

Order

18/04/2026

1. In the backdrop of the order dated 16.04.2026 the learned Additional Solicitor General (ASG) has marked appearance on behalf of the respondents.
2. Learned ASG submitted that while a detailed reply to the petition shall be filed in due course, a strong preliminary objection is raised regarding the maintainability of the present writ petition. It is contended that the scope of judicial review by a Constitutional Court in tender and contractual matters is highly circumscribed and restrictive. It is highlighted that the petitioner has not alleged any *mala fides* or institutional bias in the present matter.
3. It is further submitted that the petitioner's bid was rightfully declared non-responsive on the basis of a logical, objective, and due analysis during the technical evaluation. It is next submitted the petitioner has also failed to submit the requisite certificate issued by the eligible competent authority, which was a mandatory tender condition. It is also submitted that as per the explicit terms

and conditions of the Notice Inviting Tender (NIT), any queries or clarifications ought to have been raised by the bidders prior to the last date of submission. Learned ASG pointed out that a clarification sought by another prospective bidder was duly addressed by the authorities and the same is on record and forms part of the official policy.

4. Moreover, it is submitted that to ensure absolute fairness, the subsequent objections filed by the petitioner were duly placed before and considered by a designated Expert Authority and that the said committee comprised subject-matter experts, including an independent external expert, who does not belong to respondent-Bharat Sanchar Nigam Limited (BSNL). It is lastly submitted that the minutes of the said meeting, which reflect a due analysis and application of mind, have been placed on record.

5. Considering the preliminary submissions advanced by the learned ASG, this Court deems it appropriate to grant time to the respondents to place their reply and the relevant committee documents on record.

6. Accordingly, the respondents are directed to file their reply on or before 22.04.2026.

7. Upon filing of reply, list the matter for final disposal on 24.04.2026 in the supplementary cause list.

(SAMEER JAIN),J