

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 8120/2025

JCL Infra Private Limited, Having Its Registered Office At Industrial Estate, Delhi Road, Partapur, Meerut - 250103 Through Its Managing Director Mr. Ajai Kumar Gupta.

-----Petitioner

Versus

1. Jaipur Development Authority, Through Its Secretary, Ram Kishor Vyas Bhawan, Indira Circle, Jawahar Lal Nehru Marg, Jaipur-302004.
2. Commissioner, Jaipur Development Authority, Ram Kishor Vyas Bhawan, Indira Circle, Jawahar Lal Nehru Marg, Jaipur Rajasthan, 302005.
3. Executive Engineer - Rob/rub-V, Jaipur Development Authority, Ram Kishor Vyas Bhawan, Indira Circle, Jawahar Lal Nehru Marg, Jaipur-302004

-----Respondents

For Petitioner(s) : Mr. S.S. Hora with
Mr. Adesh Arora

HON'BLE MR. JUSTICE ANIL KUMAR UPMAN

Order

28/05/2025

Learned counsel for the petitioner submits that on 14.12.2022, Letter of Acceptance was issued by JDA to the petitioner whereby EPC contract was awarded for OTS flyover on the basis of DPR that was prepared by M/s Sincere Architects. It is submitted that following this, a valid contract agreement was executed between petitioner and respondent for execution of EPC contract related to flyover project. It is submitted that all of a sudden, an order was passed on 24.04.2024 whereby clause 32 of contract agreement was invoked and work project was withdrawn

without providing any opportunity of hearing. It is submitted that said action of withdrawal has been assailed by the petitioner by way of filing Civil Writ Petition No.17571/2024 before this Court which is pending consideration. Learned counsel contends that now on 03.04.2025, respondent JDA has issued a new tender for preparation of DPR at OTS flyover project. It is contended that fresh tender cannot be issued, particularly, for the same work contract which has already been executed between the parties.

Matter requires consideration.

Issue notice to the respondents through both the process, returnable by the next date of hearing.

Requisites be filed within a period of two weeks, failing which, this writ petition shall stand dismissed automatically without further reference to the Bench.

If requisites are filed within time, list this case after eight weeks.

Meanwhile, respondent JDA is restrained from issuing work order in pursuance of fresh tender notice dated 03.04.2025 to the extent of OTS flyover.

(ANIL KUMAR UPMAN),J