

S/L 112
21.07.2026
Court. No. 25
sourav

WPA 28650 of 2025

**M/s. D. M. Enterprises
Vs.**

Bharat Sanchar Nigam Limited & Ors.

*Mr. Kalyan Halder
Mr. R. Das
Ms. Chitra Som (Basu)*

...for the petitioner.

*Mr. Rajib Mukherjee
Ms. Shreyasi Bhaduri*

...for the respondent BSNL.

1. The petitioner has filed the present writ application being aggrieved and dissatisfied with the impugned communication wherein the petitioner's technical bid was cancelled on the ground that the petitioner is not meeting with the eligibility criteria Disqualified specified in bid clause as per details indicated in the comments. The comment shows that the certificate undertaking under rule 144(xi) of the General Financial Rule (GFR), 2017 not submitted.
2. Learned counsel for the petitioner submits that the petitioner is an MSME. He submits that he has relied upon the document wherein the IEC Status i.e., the Import and Export Code Status has been indicated 'inactive'. The petitioner submits that if the petitioner is not having the business with the border country and as such, the Import Export Code Status has been given inactive.
3. He further submits that if the petitioner is not sharing the business with the border country and the IEC Status is inactive, thus, the petitioner is not required to

file the certificate undertaking under Rule 144(xi) of the GFR. He submits that the respondent authorities without considering the said aspect have rejected the technical bid of the petitioner.

4. This Court finds that the petitioner has not submitted certificate, undertaking under Rule 144(xi) of the GFR which is mandatory as per the terms and conditions of the tender conditions.
5. This Court did not find any illegality in the impugned rejection of technical bid of the petitioner.
6. **WPA 28650 of 2025** is dismissed.
7. There shall be, however, no order as to costs.
8. Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance with all the necessary formalities.

(Krishna Rao, J.)