



**HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR**

S.B. Civil Writ Petition No. 8889/2026

CNR: RJHC010388112026

URN: CW / 16336U / 2026



M/s Balaji Engineering Company, Sardar Patel Market, Bhagat Singh Chowk, Suratgarh - 335804 Through Its Director / Partner Rakesh Kumar Pareek S/o Madan Lal Pareek, Aged About 53 Years, R/o 2/234, Ward No. 7, Rbh Colony, Suratgarh, District Sri Ganganagar, Rajasthan.

-----Petitioner

Versus

1. Rajasthan Rajya Vidyut Vtpadan Nigam Ltd., Vidyut Bhawan, Janpath, Jyoti Nagar, Jaipur - 302005.
2. The Chief Engineer (O And M), Stps Rvun, Suratgarh.
3. The Additional Chief Engineer (O And M), Stps, Rpun, Suratgarh.
4. Rrvun, Office Of Superintending Engineer (Chp), Suratgarh Super Thermal Power Station, 121, Sstps, Suratgarh - 335805.
5. Rrvun, Through Its Cmd - Ce (Sstps), Suratgarh, District Sriganganagar.
6. Rrvun, Through Xen (Chp), Suratgarh, District Sriganganagar.
7. Renga Engineer Works India Private Limited, Chitrakoot Building, 1St Floor, 230A, Ajc Bose Road, Kolkata (W.b.).
8. M/s Aka Logistics (P) Ltd., Chitrakoot Building, 1St Flor, 230-A, Ajc Bose Road, Kolkata (W.b.).

-----Respondents

Connected With

S.B. Civil Writ Petition No. 23413/2025

CNR: RJHC01111922025

URN: CW / 42058U / 2025

M/s Alex Engineering, Having Its Office At Sco No. 14, Transport Nagar, Bhatinda, (Punjab) Pin-151003, Through Its Proprietor / Partner Mr. Jaswinder Singh Son Of Puran Singh, Aged About 46 Years, Resident Of Dhulkot, Dhurkot Faridkot, (Punjab) Pin-151203.



1. Rajasthan Rajya Vidyut Utpadan Nigam Ltd., Vidyut Bhawan, Janpath, Jyoti Nagar, Jaipur (Rajasthan) Through Its Chairman And Managing Director.
2. The Chief Enginner (O And M) Stps, Rajasthan Rajya Vidyut Utpadan Nigam Ltd., Prabhat Nagar Suratgarh, District- Sri Ganganagar (Rajasthan).
3. Superintending Engineer (Chp), Stps, Rajasthan Rajya Vidhut Utpadan Nigam Ltd. Prabhat Nagar Suratgarh, District- Sri Ganganagar (Rajasthan).

----Respondents

S.B. Civil Writ Petition No. 23415/2025

CNR: RJHC01111722025

URN: CW / 42062U / 2025

M/s Balaji Engineering Company, Having Its Office At Bhagat Singh Chowk, Bhguwala Kaun Street, Suratgarh, Sri Ganganagar, (Rajasthan) Pin- 335804, Through Its Proprietor / Partner Mr. Deepak Kumar Arora Son Of Dev Raj Arora, Aged About 52 Years, Resident Of Ward No. 10 Naya, Old Rhb Colony, Akashwani Ke Piche, Suratgrh, Po- Suratgarh, District- Ganganagar (Rajasthan) Pin-335804.

----Petitioner

Versus

1. Rajasthan Rajya Vidyut Utpadan Nigam Ltd., Vidyut Bhawan, Janpath, Jyoti Nagar, Jaipur (Rajasthan) Through Its Chairman And Managing Director.
2. The Chief Enginner (O And M) Stps, Rajasthan Rajya Vidyut Utpadan Nigam Ltd., Prabhat Nagar Suratgarh, District- Sri Ganganagar (Rajasthan).
3. Superintending Engineer (Chp), Stps, Rajasthan Rajya Vidhut Utpadan Nigam Ltd. Prabhat Nagar Suratgarh, District- Sri Ganganagar (Rajasthan).

----Respondents

S.B. Civil Writ Petition No. 23437/2025

CNR: RJHC01111952025

URN: CW / 42104U / 2025

M/s J.r. Construction Co., Having Its Office At Near Chhavi Cinema, Suratgarh, Sri Ganganagar (Rajasthan) Pin-335804, Through Its Proprietor/partner Mr. Jeet Ram Son Of Ami Chand, Aged About 74 Years, Resident Of Ward No. 17, New Chhavi Cinema Road, Suratgarh, Ganganagar (Rajasthan) Pin-335804.





-----Petitioner

1. Rajasthan Rajya Vidyut Utpadan Nigam Ltd., Vidyut Bhawan, Janpath, Jyoti Nagar, Jaipur (Rajasthan) Through Its Chairman And Managing Director.
2. The Chief Engineer (O And M) Stps, Rajasthan Rajya Vidyut Utpadan Nigam Ltd., Prabhat Nagar Suratgarh, District- Sriganganagar (Rajasthan).
3. Superintending Engineer(Chp), Stps, Rajasthan Rajya Vidhut Utpadan Nigam Ltd., Prabhat Nagar Suratgarh, District- Sriganganagar (Rajasthan).

-----Respondents

S.B. Civil Writ Petition No. 23440/2025

CNR: RJHC011111772025

URN: CW / 42110U / 2025

M/s Balaji Engineering Company, Having Its Office At Bhagat Singh Chowk, Bhguwala Kaun Street, Suratgarh, Sri Ganganagar, (Rajasthan) Pin - 335804, Through Its Proprietor/partner Mr. Deepak Kumar Arora Son Of Dev Raj Arora, Aged About 52 Years, Resident Of Ward No. 10 Naya, Old Rhb Colony, Akashwani Ke Piche, Suratgarh, Po Suratgarh, District - Ganganagar (Rajasthan) Pin 335804.

-----Petitioner

Versus

1. Rajasthan Rajya Vidyut Utpadan Nigam Ltd., Vidyut Bhawan, Janpath, Jyoti Nagar, Japur (Rajasthan) Through Its Chairman And Managing Director.
2. The Chief Engineer (O And M) Stps, Rajasthan Rajya Vidyut Utpadan Nigam Ltd., Prabhat Nagar Suratgarh, District - Sri Ganganagar (Raj.)
3. Superintending Engineer (Chp), Stps, Rajasthan Rajya Vidhut Utpadan Nigam Ltd. Prabhat Nagar Suratgarh, District - Sriganganagar (Rajasthan).

-----Respondents

S.B. Civil Writ Petition No. 23444/2025

CNR: RJHC011111832025

URN: CW / 42116U / 2025

M/s Gill Engineering Private Limited, Having Its Office At Vishwas Nagar, Bhatinda, (Punjab) Pin -15003, Through Its Proprietor/partner Mr. Jasvir Singh Son Of Gurmail Singh, Aged

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About 52 Years, Resident Of Vishwas Nagar, Goniana Road,
District- Bhatinda, (Punjab) Pin - 15003.

-----Petitioner

Versus

1. Rajasthan Rajya Vidyut Utpadan Nigam Ltd., Vidyut Bhawan, Janpath, Jyoti Nagar, Jaipur (Rajasthan) Through Its Chairman And Managing Director.
2. The Chief Engineer (O And M) Stps, Rajasthan Rajya Vidyut Utpadan Nigam Ltd., Prabhat Nagar Suratgarh, District - Sriganganagar (Rajasthan).
3. Superintendeing Engineer (Chp), Stps, Rajasthan Rajya Vidyut Utpadan Nigam Ltd. Prabhat Nagar Suratgarh, District - Sriganganagar (Rajasthan).

-----Respondents

S.B. Civil Writ Petition No. 23459/2025

CNR: RJHC011111812025

URN: CW / 42148U / 2025

M/s Deepak Electricals, Having Its Office At Bhagat Singh Chowk, Suratgarh, Sri Ganganagar (Rajasthan) Pin 335804, Through Its Proprietor / Partner Mrs. Archana Arora Wife Of Deepak Kumar Arora, Aged About 47 Years, Resident Of Ward No. 10 Naya, Old Rhb Colony, Akashwani Ke Piche, Vtc Suratgarh, Po Suratgarh, Sub District Suratgarh, District Ganganagar (Rajasthan) Pin 335804.

-----Petitioner

Versus

1. Rajasthan Rajya Vidyut Utpadan Nigam Ltd., Vidyut Bhawan, Janpath, Jyoti Nagar, Jaipur (Rajasthan) Through Its Chairman And Managing Director.
2. The Chief Engineer (O And M) Stps, Rajasthan Rajya Vidyut Utpadan Nigam Ltd., Prabhat Nagar Suratgarh, District Sri Ganganagar (Rajasthan).
3. Superintending Engineer (Chp), Stps, Rajasthan Rajya Vidyut Utpadan Nigam Ltd., Prabhat Nagar Suratgarh, District Sri Ganganagar (Rajasthan).

-----Respondents

S.B. Civil Writ Petition No. 23464/2025

CNR: RJHC011111902025

URN: CW / 42162U / 2025

M/s Singh Enterprises, Having Its Office At Bhagat Singh Chowk,

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Suratgarh, Sri Ganganagar, (Rajasthan) Pin-335804, Through Its Proprietor/partner Mr. Parabhjeet Singh Kalsi S/o Darshan Singh, Aged About 60 Years, Resident Of Sharma Bal Mandir School Ke Piche Wali Gali, Ward No.11, Suratgarh, Ganganagar, (Rajasthan) Pin-335804.

-----Petitioner

Versus

1. Rajasthan Rajya Vidyut Utpadan Nigam Ltd., Vidyut Bhawan, Janpath, Jyoti Nagar, Jaipur (Rajasthan) Through Its Chairman And Managing Director.
2. The Chief Engineer (O And M) Stps, Rajasthan Rajya Vidyut Utpadan Nigam Ltd., Prabhat Nagar Suratgarh, District Sri Ganganagar (Rajasthan).
3. Superintending Engineer (Chp), Stps, Rajasthan Rajya Vidyut Utpadan Nigam Ltd., Prabhat Nagar Suratgarh, District Sri Ganganagar (Rajasthan).

-----Respondents

S.B. Civil Writ Petition No. 23507/2025

CNR: RJHC011111872025

URN: CW / 42251U / 2025

M/s Gill Engineering Private Limited, Having Its Office At Vishwas Nagar, Bhatinda, (Punjab)-151003, Through Its Proprietor/partner Mr. Jasvir Singh Son Of Gurmail Singh, Age About 52 Years, Resident Of Vishwas Nagar, Goniana Road, District-Bhatinda, (Punjab) Pin-151003.

-----Petitioner

Versus

1. Rajasthan Rajya Vidyut Utpadan Nigam Ltd., Vidyut Bhawan, Janpath, Jyoti Nagar, Jaipur (Rajasthan) Through Its Chairman And Managing Director.
2. The Chief Engineer, (O And M) Stps, Rajasthan Rajya Vidyut Utpadan Nigam Ltd., Prabhat Nagar Suratgarh, District- Sri Ganganagar (Rajasthan).
3. Superintending Engineer, (Chp) Stps, Rajasthan Rajya Vidyut Utpadan Nigam Ltd., Prabhat Nagar Suratgarh, District- Sri Ganganagar (Rajasthan).

-----Respondents

S.B. Civil Writ Petition No. 23512/2025

CNR: RJHC011111742025

URN: CW / 42267U / 2025

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M/s Balaji Engineering Company, Having Its Office At Bhagat Singh Chowk, Bhguwala Kaun Street, Suratgarh, Sri Ganganagr, (Rajasthan) Pin-335804, Through Its Proprietor/partner Mr. Deepak Kumar Arora Son Of Dev Raj Arora, Aged About 52 Years, Resident Of Ward No. 10 Naya, Old Rhb Colony, Akashwani Ke Piche, Suratgarh, Po Suratgarh, District-Ganganagar (Rajasthan) Pin 335804.

-----Petitioner

Versus

1. Rajasthan Rajya Vidyut Utpadan Nigam Ltd., Vidyut Bhawan, Janpath, Jyoti Nagar, Jaipur (Rajasthan) Through Its Chairman And Managing Director.
2. The Chief Engineer, (O And M) Stps, Rajasthan Rajya Vidyut Utpadan Nigam Ltd., Prabhat Nagar Suratgarh, District- Sri Ganganagar (Rajasthan).
3. Superintending Engineer, (Chp) Stps, Rajasthan Rajya Vidyut Utpadan Nigam Ltd., Prabhat Nagar Suratgarh, District- Sri Ganganagar (Rajasthan).

-----Respondents

S.B. Civil Writ Petition No. 23556/2025

CNR: RJHC011111622025

URN: CW / 42356U / 2025

M/s Balaji Engineering Company, Having Its Office At Bhagat Singh Chwok, Bhugwala Kaun Street, Suratgarh, Sri Ganganagar, (Rajasthan) Pin 335804, Through Its Proprietor / Partner Mr. Deepak Kumar Arora Son Of Dev Raj Arora, Aged About 52 Years, Resident Of Ward No. 10 Naya, Old Rhb Colony, Akashwani Ke Piche, Suratgarh, Po Suratgarh, District Ganganagar (Rajasthan) Pin 335804

-----Petitioner

Versus

1. Rajasthan Rajya Vidyut Utpadan Nigam Ltd., Vidyut Bhawan, Janpath, Jyoti Nagar, Jaipur (Rajasthan) Through Its Chairman And Managing Director.
2. The Chief Engineer (O And M) Stps, Rajasthan Rajya Vidyut Utpadan Nigam Ltd., Prabhat Nagar Suratgarh, District Sri Ganganagar (Rajasthan).
3. Superintending Engineer (Chp), Stps, Rajasthan Rajya Vidyut Utpadan Nigam Ltd., Prabhat Nagar Suratgarh, District Sri Ganganagar (Rajasthan).





S.B. Civil Writ Petition No. 8797/2026

CNR: RJHC010386652026

URN: CW / 16130U / 2026

M/s Jr Construction Company, Plot No. 36, Old Dhan Mandi, Suratgarh, District Sri Ganganagar - 335804 Through Its Director Gopal Chouhan S/o Jeet Am Chouhan, Aged About 40 Years, R/o Ward No. 17, New Chhavi Cinema Road, Suratgarh, District Sri Ganganagar, Rajasthan.

----Petitioner

Versus

1. Rajasthan Rajya Vidyut Utpadan Nigam Ltd., Vidyut Bhawan, Janpath, Jyoti Nagar, Jaipur - 302005.
2. The Chief Engineer (O And M), Stps Rvun, Suratgarh.
3. The Additional Chief Engineer (O And M), Stps, Rpun, Suratgarh.
4. Rrvun, Office Of Superintending Engineer (Chp), Suratgarh Super Thermal Power Station, 121, Sstps, Suratgarh - 335805.
5. Rrvun, Through Its Cmd - Ce (Sstps), Suratgarh, District Sriganganagar.
6. Rrvun, Through Xen (Chp), Suratgarh, District Sriganganagar.
7. Renga Engineer Works India Private Limited, Chitrakoot Building, 1St Floor, 230A, Ajc Bose Road, Kolkata (W.b.).
8. M/s Aka Logistics (P) Ltd., Chitrakoot Building, 1St Flor, 230-A, Ajc Bose Road, Kolkata (W.b.).

----Respondents

S.B. Civil Writ Petition No. 8817/2026

CNR: RJHC010388142026

URN: CW / 16183U / 2026

M/s Singh Enterprises, Bhagat Singh Chowk, Suratgarh 335804 Through Its Director Prabhjeet Singh Kalsi S/o Darshan Singh, Aged About 60 Years, R/o Behind Sharma Bal Mandir School, Ward No. 11, Suratgarh, District Sri Ganganagar Rajasthan.

----Petitioner

Versus

1. Rajasthan Rajya Vidyut Utpadan Nigam Ltd., Vidyut Bhawan, Janpath, Jyoti Nagar, Jaipur - 302005.
2. The Chief Engineer (O And M), Stps Rvun, Suratgarh.

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3. The Additional Chief Engineer (O And M), Stps, Rpun, Suratgarh.
4. Rrvun, Office Of Superintending Engineer (Chp), Suratgarh Super Thermal Power Station, 121, Sstps, Suratgarh - 335805.
5. Rrvun, Through Its Cmd - Ce (Sstps), Suratgarh, District Sriganganagar.
6. Rrvun, Through Xen (Chp), Suratgarh, District Sriganganagar.
7. Renga Engineer Works India Private Limited, Chitrakoot Building, 1St Floor, 230A, Ajc Bose Road, Kolkata (W.b.).
8. M/s Aka Logistics (P) Ltd., Chitrakoot Building, 1St Flor, 230-A, Ajc Bose Road, Kolkata (W.b.).

----Respondents

S.B. Civil Writ Petition No. 8897/2026

CNR: RJHC010386782026

URN: CW / 16354U / 2026

M/s Deepak Electricals, Bhagat Singh Chowk, Suratgarh, District Sri Ganganagar - 335804 Through Its Director Archana Arora W/o Deepak Kumar Arora, Aged About 47 Years, R/o Ward No. 10, Old Rhb Colony, Behind Akashwani, Suratgarh, District Sri Ganganagar, Rajasthan.

----Petitioner

Versus

1. Rajasthan Rajya Vidyut Utpadan Nigam Ltd., Vidyut Bhawan, Janpath, Jyoti Nagar, Jaipur - 302005.
2. The Chief Engineer (O And M), Stps Rvun, Suratgarh.
3. The Additional Chief Engineer (O And M), Stps, Rpun, Suratgarh.
4. Rrvun, Office Of Superintending Engineer (Chp), Suratgarh Super Thermal Power Station, 121, Sstps, Suratgarh - 335805.
5. Rrvun, Through Its Cmd - Ce (Sstps), Suratgarh, District Sriganganagar.
6. Rrvun, Through Xen (Chp), Suratgarh, District Sriganganagar.
7. Renga Engineer Works India Private Limited, Chitrakoot Building, 1St Floor, 230A, Ajc Bose Road, Kolkata (W.b.).
8. ~~M/s Aka Logistics (P) Ltd., Chitrakoot Building, 1St Flor, 230-A, Ajc Bose Road, Kolkata (W.b.).~~





-----Respondents

S.B. Civil Writ Petition No. 9028/2026

CNR: RJHC010386812026

URN: CW / 16647U / 2026

M/s Alex Engineering, Transport Nagar, Sco - No. 14, Bhatinda, Punjab - 151103 Through Its Director Jaswinder Singh S/o Puran Singh, Aged About 46 Years, R/o Dhulkot, Farirkot Punjab Currently Working As Registered Contractor In Suratgarh Thermal Plant Sri Ganganagar.

-----Petitioner

Versus

1. Rajasthan Rajya Vidyut Utpadan Nigam Ltd., Vidyut Bhawan, Janpath, Jyoti Nagar, Jaipur - 302005.
2. The Chief Engineer (O And M), Stps Rvun, Suratgarh.
3. The Additional Chief Engineer (O And M), Stps, Rpun, Suratgarh.
4. Rrvun, Office Of Superintending Engineer (Chp), Suratgarh Super Thermal Power Station, 121, Sstps, Suratgarh - 335805.
5. Rrvun, Through Its Cmd - Ce (Sstps), Suratgarh, District Sriganganagar.
6. Rrvun, Through Xen (Chp), Suratgarh, District Sriganganagar.
7. Renga Engineer Works India Private Limited, Chitrakoot Building, 1St Floor, 230A, Ajc Bose Road, Kolkata (W.b.).
8. M/s Aka Logistics (P) Ltd., Chitrakoot Building, 1St Flor, 230-A, Ajc Bose Road, Kolkata (W.b.).

-----Respondents

S.B. Civil Writ Petition No. 9377/2026

CNR: RJHC010388082026

URN: CW / 17246U / 2026

M/s Gill Enterprises Private Limited, Vishwas Nagar, Bhatinda, Punjab - 151103 Through Its Director Jasvir Singh S/o Gurmail Singh, Aged About 52 Years, R/o Vishwas Nagar, Goniana Road, Bathinda Punjab 151003 Currently Working As Registered Contractor In Suratgarh Thermal Plant Sri Ganganagar.

-----Petitioner

Versus

1. ~~Rajasthan Rajya Vidyut Utpadan Nigam Ltd., Vidyut Bhawan, Janpath, Jyoti Nagar, Jaipur - 302005.~~





2. The Chief Engineer (O And M), Stps Rvun, Suratgarh.
3. The Additional Chief Engineer (O And M), Stps, Rpun, Suratgarh.
4. Rrvun, Office Of Superintending Engineer (Chp), Suratgarh Super Thermal Power Station, 121, Sstps, Suratgarh - 335805.
5. Rrvun, Through Its Cmd - Ce (Sstps), Suratgarh, District Sriganganagar.
6. Rrvun, Through Xen (Chp), Suratgarh, District Sriganganagar.
7. Renga Engineer Works India Private Limited, Chitrakoot Building, 1St Floor, 230A, Ajc Bose Road, Kolkata (W.b.).
8. M/s Aka Logistics (P) Ltd., Chitrakoot Building, 1St Flor, 230-A, Ajc Bose Road, Kolkata (W.b.).

-----Respondents

For Petitioner(s)	:	Mr. Manoj Kumar Mr. Rajak Khan
For Respondent(s)	:	Sr. Adv. Mr. Abhinav Mukherji assisted by Mr. Kartik Seth Mr. Abhijeet Kumar Mr. Hans Raj Nimbar for respondent No. 1

HON'BLE MR. JUSTICE SAMEER JAIN

Judgment

09/07/2026

1. With the consent of learned counsel for the respective parties, the present batch of writ petitions is taken up together for hearing and final disposal, as they involve common questions of law and fact and **S.B. Civil Writ Petition No. 8889/2026** titled **M/s Balaji Engineering Company Vs. Rajasthan Rajya Vidyut Utpadan Nigam Ltd.** is taken as the lead matter for consideration.

2. Learned counsel for the petitioners have sought the following reliefs:



"Therefore, it is humbly and most respectfully prayed that this writ petition may kindly be allowed with heavy cost and;

a) The Respondent Energy Secretary, Government of Rajasthan may kindly be directed to investigate all these tenders through the ACB (Anti-Corruption Bureau) and take strict action against the guilty officials so that the corruption being committed can be curbed and Rajasthan Rajya Vidyut Utpadan Nigam can be saved from collapsing.

b) The work order/Tender dated 14.10.2025 for Annexure-4 two years issued to the Respondent no.8 while making step manner with the Petitioner and other similar situated persons/firms, the same may kindly be quashed and set aside in the interest of justice and recovery may be made from the Respondent no.8 for till date;

c) The Tender as well as work order received by the Respondent no. 7 Renga who is handling by the Respondent no. 8 who is having three Firms but the same are handling by one person, hence in the interest of justice the present Tender/work order issued to the Renga Engineering the same may kindly be declared illegal and be quashed and set aside; and

d) Any other writ, order or direction which this Hon'ble court deems fit in the interest of justice and the petitioners may kindly be passed."

3. Learned counsel for the petitioners submit that the respondent authorities have formulated tailor-made tender conditions specifically designed to favor blue-eyed persons, who have been arrayed as private respondents. It is contended that as a consequence of these onerous, arbitrary, and *mala fide* conditions, the petitioners and other similarly situated persons were deprived of a fair opportunity to participate in the tender process.

4. It is further submitted that the tender was initially floated for maintenance contracts at the Suratgarh Super Thermal Power Station (STPS), which comprises two thermal plants; the old and the new plant. The petitioners allege that the tender valuation was inflated from approximately Rs.6 Crores to approximately Rs.22 Crores, and that the eligibility criteria were devised





exclusively to benefit the successful candidates, who have been arrayed as private respondents.

5. Learned counsel also bring to the notice of this Court that a Public Interest Litigation (PIL) was also filed regarding this issue, which came to be dismissed, but the present writ petitions were already *sub judice* at that time. Consequently, it is prayed that the said issue must be settled and inquiry be directed to unearth the said corruption done by the respondents-authorities.

6. *Per contra*, learned counsel appearing on behalf of the respondents vehemently opposed the present petitions and submit that the respondent-corporation is an instrumentality of the State, and the tender conditions were formulated utilizing administrative and technical expertise. It is contended that unless the conditions are demonstrated to be *per se* arbitrary or tainted by *mala fides*, no interference is warranted by the Writ Court under the limited scope of judicial review. In support of this contention, reliance is placed upon the dictum enunciated by the Hon'ble Supreme Court in **Tata Cellular v. Union of India, (1994) 6 SCC 651**, specifically paragraph 94, which reads as under:

"94. The principles deducible from the above are:

- 1. The modern trend points to judicial restraint in administrative action.*
- 2. The court does not sit as a court of appeal but merely reviews the manner in which the decision was made.*
- 3. The court does not have the expertise to correct the administrative decision. If a review of the administrative decision is permitted it will be substituting its own decision,*





without the necessary expertise which itself may be fallible.

4. The terms of the invitation to tender cannot be open to judicial scrutiny because the invitation to tender is in the realm of contract. Normally speaking, the decision to accept the tender or award the contract is reached by process of negotiations through several tiers. More often than not, such decisions are made qualitatively by experts.

5. The Government must have freedom of contract. In other words, a fair play in the joints is a necessary concomitant for an administrative body functioning in an administrative sphere or quasi-administrative sphere. However, the decision must not only be tested by the application of Wednesbury principle of reasonableness (including its other facts pointed out above) but must be free from arbitrariness not affected by bias or actuated by mala fides.

6. Quashing decisions may impose heavy administrative burden on the administration and lead to increased and unbudgeted expenditure."

7. Learned counsel for the respondents further submit that the present petitions suffer from gross delay and laches. It is pointed out that the lead petitioner i.e., M/s Balaji Engineering Company and six others actually participated in the tender process, while several other petitioners did not even participate. It is next submitted that the present petitions have been filed at a belated stage after the work orders were already issued, considerable time has lapsed, performance under the contracts is ongoing, and third-party rights have crystallized. It is lastly reiterated that a similarly placed PIL, **D.B. Civil Writ Petition No. 9166/2026**, filed under the similar facts and circumstances, has

already been dismissed by the Division Bench of this Court.





8. Heard the rival submissions advanced by the learned counsel, perused the material available on record, and considered the judgments cited at Bar.

9. During the course of arguments, Mr. Manoj Kumar, learned counsel for the petitioners, on instructions, categorically submitted that he does not wish to press prayers (b), (c), and (d) challenging the tender and the work orders. *Qua* prayer (a), it is submitted that the petitioners are desirous of filing a representation before the competent authorities, which may be directed to be decided in a time-bound manner. Learned counsel for the petitioners further seeks liberty to raise the grievances and points of law in forthcoming tenders, should similar controversies or conditions arise.

10. Considering the factual matrix involved in the matter at hand, specifically that the petitioners have approached this Court at a belated stage, work orders have already been issued, and performance is underway, this Court is not inclined to interfere with the ongoing contracts.

11. However, in light of the submissions made by the learned counsel for the petitioners and keeping in view the principles laid down by the Co-ordinate Bench of this Court in **S.B CWP No. 1665/2024) titled Pawan Meena vs. State of Rajasthan & Ors.**, the petitioners are granted liberty to file a detailed representation *qua* the allegations raised in prayer (a) before the Chief Secretary, Government of Rajasthan, and the Energy Secretary, Government of Rajasthan.

12. It is made clear that if such a representation is filed, the said authorities are directed to consider and decide the same, strictly





in accordance with the law, by passing a reasoned and speaking order within a period of 30 days from the date of receipt of the representation.

13. Regarding the remaining prayers which are not pressed, the petitioners are granted the liberty to raise their grievances, as well as the questions of law and fact, in the event similar conditions or subsequent developments arise in future contracts/tenders.

14. With the aforesaid observations, directions, and liberties, the present batch of writ petitions stands disposed of. Pending application(s), if any, shall also stand disposed of.

15. A copy of the present order be placed in the connected petitions.

(SAMEER JAIN),J

252-267/Rashu/695