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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 8245/2021 & CM APPL. 25613/2021

M/S VAISHALI HYGIENE PRODUCTS Petitioner

Through: Mr. R.M. Sinha, Mr. P.M. Sinha,
Advs.

versus

GOVERNMENT OF NCT DELHI Respondent

Through: Mr. Anjum Javed, ASC with Mr.
Devendra Kumar, Mr. Faran Ahmed, Advs. for
Resp./GNCTD

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

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11.08.2021

W.P.(C) 8245/2021 & CM APPL. 25613/2021

The Petitioner has assailed the rejection of its bid on the ground of it being technically non-responsive. One of the grounds taken by the respondents for the said rejection is that the Petitioner firm had suffered loss in two financial years, 2018-19 and 2019-20.

The Eligibility of Bidder's Condition stipulates that the bidding firm should not have incurred any loss '*in two (02) years during the last three years ending 31st March, 2020.*'

The Petitioner has itself placed on record the profit and loss account statement which shows that in the Financial Years 2017-18 and 2018-19, it



suffered loss of Rs. 18 lacs (approximately) and 16 lacs (approximately) respectively.

The submission of Mr. Sinha is that these losses were only book losses. We cannot accept these submissions. The fact of the matter is that the Petitioner has suffered losses in the aforesaid 2 years. Hence, we do not find any merit in the petition and the Petitioner's disqualification is justified.

Petition is accordingly dismissed.

VIPIN SANGHI, J

JASMEET SINGH, J

AUGUST 11, 2021/ 'ms'