

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P. (C) No. 5123 of 2023

M/s SIS Limited Petitioner
Versus
The Union of India and others Respondents

**CORAM: HON'BLE THE ACTING CHIEF JUSTICE
HON'BLE MR. JUSTICE NAVNEET KUMAR**

For the Petitioner: Mr. Indrajit Sinha, Advocate
Mr. Anupam Kishore Sinha, Advocate
Mr. Vipul Poddar, Advocate
Mr. Sugandha Jaiswal Poddar, Advocate
For the Respondents: Mr. Abhijeet Kumar Singh, CGC

Order No. 08 /Dated: 16th May 2024

M/s SIS Limited which is represented through its authorized signatory, namely, Tarun Kumar Sinha is aggrieved by tender notice dated 3rd August 2023.

2. On 20th September 2023, when this matter was heard by a Coordinate Bench of this Court the learned Additional Solicitor General of India was directed to intimate the Central Institute of Psychiatry (CIP) not to proceed with the cancellation of the contract awarded to the petitioner-Enterprise.

3. On 4th October 2023, taking exception to non-compliance of this Court's order dated 20th September 2023, the following order was passed by the Court:

“Heard the counsel for the parties.

In spite of time granted earlier, the instruction in compliance of order dated 20.09.2023 has not been taken as yet.

In that view of the matter, issue notice to the respondents, for which, requisites etc. under registered cover with A/D as well as ordinary process must be filed within two weeks.

Let the respondents file counter affidavit within eight weeks.

Rejoinder, if any, within two weeks thereafter.

Put up this case on 22.03.2024.

Till the next date of listing, interim order granted earlier vide order dated 20.09.2023 shall continue.”

4. It appears that the CIP continues to take services from the petitioner-Enterprise without any payment to it and, therefore, on 8th April 2024 this Court directed the learned Additional Solicitor General of India to

seek instruction on I.A. No. 3275 of 2024 which was filed for the payment of current bills of the petitioner-Enterprise.

5. The interim order dated 20th September is still continuing and the CIP continues to take services from the petitioner-Enterprise.

6. We find that the grounds taken in reply to I.A, No. 3275 of 2024 are frivolous and not to be taken note of.

7. On previous two occasions adjournments were given to the respondents to take instructions in the matter. However, again a request for adjournment is made by Mr. Abhijeet Kumar Singh, the learned counsel for the respondents on the ground that voluminous documents have been served only two days back. When this request was declined, Mr. Abhijeet Kumar Singh, the learned counsel for the respondents requested for Pass Over. This request is also declined.

8. A calculation chart has been tendered in the Court copy thereof already supplied to Mr. Abhijeet Kumar Singh, the learned counsel for the respondents. We have verified the details and find that this payment must be made to the petitioner-Enterprise.

9. Therefore, this Court hereby directs the respondent No. 3 to make payment of Rs. 4,76,07,985/- within a period of two weeks from today.

10. I.A. No. 3275 of 2024 is allowed.

11. Post this matter on 11th June 2024.

12. On that date, the respondent No.3 through its Director shall file an affidavit on compliance.

(Shree Chandrashekhar, A.C.J.)

(Navneet Kumar, J.)

VK