

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition for Special Leave to Appeal (C) No. 10869/2023

(Arising out of impugned final judgment and order dated 27-04-2023 in WP No. 13806/2023, corrected order dated 28.04.2023 in WP No. 13806/2023 and corrected order dated 27.04.2023 in WP No. 13806/2023 passed by the High Court of Judicature at Madras)

THE CHAIRMAN TAMIL NADU GENERATION AND
DISTRIBUTION CORPORATION LIMITED (TANGEDCO) & ORS. Petitioner(s)

VERSUS

OVERSEAS INFRASTRUCTURE ALLIANCE
(INDIA) PVT.LTD. & ANR.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.104944/2023-EXEMPTION FROM FILING
C/C OF THE IMPUGNED JUDGMENT and IA No.104945/2023-PERMISSION TO
FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 18-05-2023 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.S. BOPANNA
HON'BLE MS. JUSTICE HIMA KOHLI

For Petitioner(s) Mr. P. Wilson, Sr. Adv.
Mr. D.Kumanan, AOR
Mrs. Deepa. S, Adv.
Mr. Sheikh F Kalia, Adv.
Mr. Apoorv Malhotra, Adv.
Ms. Aishwarya Mishra, Adv.
Ms. Sapna Pillai, Adv.

For Respondent(s) Mr. Mukul Rohatgi, Sr. Adv.
Mr. Senthil Jagadeesan, AOR
Mr. M. Thangathurai, Adv.
Mr. Sajal Jain, Adv.
Ms. Sonakshi Malhan, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Having heard learned senior counsel for the petitioners as
also learned senior counsel for the respondent No.1, though in a

normal circumstance it is for the Tender Inviting Authority to impose the conditions when they invite tenders/bids, in the facts of the present case we note that there is much more to it and it is not unilaterally altered by the Court.

During the consideration of the proceedings before the High Court, in fact, a concession in the manner as was indicated by the Court was recorded. However, when a clarification was sought by the petitioners, the High Court has made appropriate clarifications in the said order. Hence, in the instant facts when such consideration has been made, we see no reason to interfere and in any event it is an individual case and the same shall not be treated as a precedent.

The question of law is however left open to be considered in an appropriate case.

The Special Leave Petition is, accordingly, disposed of.

Pending application(s) shall stands disposed of.

(RAJNI MUKHI)
COURT MASTER (SH)

(DIPTI KHURANA)
ASSISTANT REGISTRAR