

ITEM NO.22

COURT NO.1

SECTION IX

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No. 6090/2025

[Arising out of impugned final judgment and order dated 20-12-2024 in WP No. 4823/2022 passed by the High Court of Judicature at Bombay]

SECLINK TECHNOLOGIES CORPORATION

Petitioner(s)

VERSUS

THE STATE OF MAHARASHTRA &amp; ORS.

Respondent(s)

IA No. 55242/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

Date : 07-03-2025 This matter was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE SANJAY KUMAR

For Petitioner(s)    Mr. C A Sundaram, Sr. Adv.  
                              Mr. Sidharth Bhatnagar, Sr. Adv.  
                              Ms. Rohini Musa, AOR  
                              Mr. Surya Pratap Singh Rana, Adv.  
                              Mr. Nipun Katyal, Adv.  
                              Mr. Aditya Sidhra, Adv.  
                              Mr. Manan Sharma, Adv.  
                              Mr. Dhananjay Kumar, Adv.

For Respondent(s)    Mr. Tushar Mehta, Solicitor General  
                              Mr. Siddharth Dharmadhikari, Adv.  
                              Mr. Abhikalp Pratap Singh, AOR  
                              Ms. Preet Phanse, Adv.  
                              Mr. Utkarsha Kumar, Adv.  
                              Mr. Aditya Krishna, Adv.  
                              Ms. Gayatri Agarwal, Adv.

Mr. Mukul Rohatgi, Sr. Adv.  
Mr. Vikram Nankani, Sr. Adv.  
Mr. Mahesh Agarwal, Adv.  
Ms. Rati Patni, Adv.  
Mr. Arshit Anand, Adv.  
Ms. S. Lakshmi Iyer, Adv.  
Ms. Vidisha Swarup, Adv.  
Mr. Pranaya Goyal, Adv.

Ms. Apoorva Kaushik, Adv.  
Mr. Omm Mitra, Adv.  
Mr. E. C. Agrawala, AOR

Mr. Tushar Mehta, Solicitor General  
Mr. Maninder Singh, Sr. Adv.  
Mr. Siddharth Dharmadhikari, Adv.  
Mr. Aaditya Aniruddha Pande, AOR  
Mr. Bharat Bagla, Adv.  
Mr. Kanu Agarwal, Adv.  
Mr. Aditya Krishna, Adv.  
Ms. Preet S. Phanse, Adv.  
Mr. Adarsh Dubey, Adv.

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

Two issues have been raised in the present special leave petition – the first issue relates to the cancellation of the first tender, on which we are, *prima facie*, in agreement with the findings recorded by the High Court, as it was realized later that the Railways' land should also be developed and included in the contract. The second issue relates to the terms fixed for the second tender. This aspect has been dealt with by the High Court in paragraphs 104 and 105 of the impugned judgment.

We have referred to the second aspect in view of the submission made by the petitioner before us that the tender conditions were tweaked so as to disable/oust the petitioner from submitting a tender, as it was the highest bidder earlier, by a substantial difference when compared to the highest bidder in the second tender.

It is submitted that the petitioner is ready to offer a sum of ₹8,640 crores, which is substantially more than the offer given by the highest bidder, that is, for ₹5,069 crores.

It is clarified that the bid amount mentioned above excludes all other obligations, which the highest bidder had agreed to, that is, ₹1,000 crores, as upfront payment towards the lease and the proposed indemnity of ₹2,800 crores. This also means that the petitioner would undertake to fulfill all other obligations.

The petitioner shall file an affidavit to the aforesaid effect before this Court.

Issue notice, returnable in the week commencing 28.04.2025.

Notice shall be served by all modes, including *dasti*.

As the matter is *sub judice*, we direct that the third respondent shall make all payments towards the development of the project in question only through one bank account, wherein and wherefrom all credits and disbursements will be made for the purpose of execution of the contract(s).

Proper accounts, including invoices, etc., as required by the Income Tax Act, 1961, and the rules applicable, shall be maintained.

We have passed the aforesaid order as it is stated that the development work has already commenced and some quarters, etc., have been demolished.

We, however, clarify that no special equities will be claimed by either side. The contract awarded shall obviously be subject to the outcome of the present special leave petition.

Original files shall be produced in the Court on the next date of hearing.

(BABITA PANDEY)  
AR-CUM-PS

(ANJALI PANWAR)  
COURT MASTER (NSH)