



Serial No. 01
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

Review Pet. No. 6 of 2025

Date of Decision: 30.06.2025

M/s Tribeni Constructions Ltd.

A company incorporated under the Companies Act, 1956

Having its registered office at Tribeni Commercial Complex,

2nd Floor, G.S. Road, Ulubari, Guwahati-781007,

Represented by its authorized representative

.. Review Petitioner(s)

Versus

1. State of Meghalaya represented by

The Secretary to the Government of Meghalaya,

Urban Affairs Department, Shillong.

2. Director, Directorate of Urban Affairs,

Government of Meghalaya, Shillong.

.... Respondent(s)

Coram:

Hon'ble Mr. Justice H. S. Thangkhiew, Judge

Appearance:

For the Petitioner(s) : Mr. S. Sen, Adv. with
Mr. M.L. Nongpiur, Adv.

For the Respondent(s) : Mr. A.S. Pandey, Adv. with
Ms. Z.E. Nongkynrih, GA

i) Whether approved for reporting in Law journals etc: Yes/No

ii) Whether approved for publication in press: Yes/No



JUDGMENT AND ORDER (ORAL)

1. This review application has been filed by the writ petitioner in WP(C) No. 272 of 2025, seeking review of the Judgment and Order dated 24.06.2025, whereby the writ petition was dismissed principally on the ground of delay and laches on the part of the writ petitioner in approaching the Court, or in initiating any action to air its alleged grievances.

2. In brief, the writ petitioner is aggrieved with a condition namely Clause 3.3 of the tender document or instructions to bidders (ITB), which was floated on 15.05.2025, wherein the clause prohibited entities or parties having criminal or Police cases pending, from participation. As per the schedule given in the tender document, the last date for receipt of bids was 25.06.2025 at 14:30 hrs., and the writ petitioner through the counsel had sought permission on 24.05.2025 itself to move the matter unlisted, which was allowed by this Court and resulted in the order sought to be reviewed.

3. Today, Mr. S. Sen, learned counsel has submitted that this review application has been filed on the ground that the last date for opening of bids has now been extended, vide a corrigendum dated



24.06.2025, wherein the date and time of opening of the Technical Bids has been postponed to 03.07.2025 at 4:00 P.M. He submits that this corrigendum was issued pursuant to a Pre-bid meeting held on 12.06.2025, and as such it was well within the knowledge of the respondents on the date when WP(C) No. 272 of 2025 was moved that there would be an extension. He further submits this is a new discovery, which was not to the knowledge of the writ petitioner and as the date of the bids has been extended, the petitioner be allowed to at least put in a representation, or the respondents be directed to file an affidavit as to why to the petitioner be not allowed to take part in the bidding. In support of his submissions, the case *of Madhusudhan Reddy vs. V. Narayana Reddy* reported in (2022) 17 SCC 255 has been relied upon, which is on the point of discovery of a new matter or evidence as a ground for review. The learned counsel has finally submitted that this instant case being similarly situated, the same consideration be given to the writ petitioner.

4. Mr. A.S. Pandey, learned counsel for the respondents in his reply, has submitted that the situation remains the same, inasmuch as, the tender (ITB) had been floated as far back as on 15.06.2025, and the petitioner never took part nor attended the Pre-bid meeting, to air its grievances. The corrigendum issued extending the time he submits,



is marginal, and as such there is no marked change in the circumstances, due the corrigendum. The review he submits is therefore liable to be rejected.

5. Heard the learned counsel for the parties.

6. It is noted that the earlier date fixed was 25.06.2025 for opening of the bids and by the corrigendum dated 24.06.2025, the time has been marginally extended only for submission of bids by a period of approximately 1(one) week. In this backdrop, in the considered view of this Court the situation remains the same, inasmuch as, there will be not much time for the respondents to address the grievance of the writ petitioner, further considering the fact that it had not taken part in a Pre-bid meeting or taken any steps to get its grievances addressed. It is correct that the same may be a new discovery and just come to the knowledge of the writ petitioner, but in the circumstances pertaining to the instant case itself, no case for review has been made out and the same is dismissed.

JUDGE

Meghalaya
30.06.2025
"V. Lyndem-PS"