

BEFORE THE PROCUREMENT REDRESSAL COMMITTEE
BRIHANMUMBAI MUNICIPAL CORPORATION, MUMBAI

CASE No. 008/PRC/2016.

M/s. Honey Fun-N-Thrill Co. Appellant.
V/s.
Municipal Corporation of Greater Mumbai. Respondent

QUORUM : 1. Hon'ble Dr. Justice F.I. Rebello (Retd.) Chairman
Chief Justice High Court of Allahabad
2. Shri B.P. Patil Member
3. Shri Sunil Sardar Member

ORDER
(Dated this 14th Day of July, 2016)

The Applicant whose tender has been treated as non-responsive contends that the interpretation given by the Respondent Corporation to their eligibility criteria is not the correct interpretation. According to them, the words "Three above stated completed works costing not less than Rs. 0.96 crores" must be read as three works cumulatively of Rs. 0.96 crores and not independent or each.

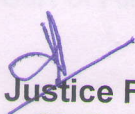
Along with the Applicant, there were other bidders. Four of these bidders understood this Clause to mean independent work of Rs. 0.96 crores each or Rs. 1.2 crores each.

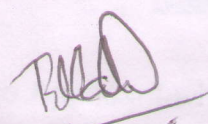
The question then before us is whether the interpretation sought to be given by the Applicant should be accepted? The words do not say either each or

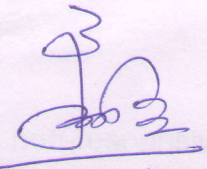
cumulative. The fact however, remains that it is only the Applicant who understood the clause to mean cumulative. Four others understood the clause to mean independent.

In our opinion, the interpretation to be given to the Clause, that three works of not less than Rs. 0.96 crores, must be read to be independent work.

For the abovesaid reasons, we find no merit in the application and accordingly rejected.


Hon'ble Dr. Justice F.I. Rebello (Retd.)
Chairman,
Procurement Redressal Committee


Shri B.P. Patil
Member
Procurement Redressal Committee


Shri Sunil Sardar
Member
Procurement Redressal Committee