

U.PStateBridgeCo.Ltd./Legal/W.P/2024/2513

Date: 06/09/2024

Office Order

Subject: Stay on the Non-performer Order of M/s UP State Bridge Corporation Limited dated 09.02.2024 upto 22nd Nov'2024 - reg.

National Highways & Infrastructure Development Corporation Limited (NHIDCL) vide Office Order no. NHIDCL/Sikkim/NH-717B/Rhenock-Menla/Pkg-IIIA/2224 dated 09.02.2024 had declared M/s UP State Bridge Corporation Limited as "Non-performer", in accordance to MoRTH Circular RW/NH-33044/76/2021-S&R(P&B) dated 06.10.2021, till the completion of the project of "Construction of 2-Laning with Paved Shoulder of New Greenfield Alignment from Chochenpheri at Km 52+000 to Helipad near Menla at Km 82+000 of Rhenock Menla Spur (NH-717 B) Package-IIIA on EPC Basis under SARDP-NE Phase-A in the State of Sikkim", thereby disabling M/s UP State Bridge Corporation Limited from participating in any bid of MoRTH or its executing agencies till such time the EPC Contractor is not removed from the list of "Non-performer".

2. In compliance to the orders of Hon'ble High Court of Delhi dated 20.05.2024, order dated 05.06.2024 & order dated 01.07.2024 in the case titled as M/s UP State Bridge Corporation Limited (Appellant) Vs NHIDCL (Respondent), NHIDCL had allowed stay on Non-performer order dated 09.02.2024 upto 27.08.2024.

3. Now, Hon'ble High Court in its hearing dated 27.08.2024 has directed that the interim order shall continue.

4. In adherence to the aforesaid directions passed by Hon'ble High Court of Delhi in its hearing on 27.08.2024, NHIDCL hereby extends the stay on the Office Order no. NHIDCL/Sikkim/NH-717B/Rhenock-Menla/Pkg-IIIA/2224 dated 09.02.2024 & removes the name of M/s UP State Bridge Corporation Limited from "Non-performer" list till the next date of hearing i.e. 22nd Nov'2024.

5. This issues with the approval of the Competent Authority.

Yours Sincerely,



(Ankush Mehta),
General Manager (Tech)

Copy to:

- i. Director General (RD) & SS, MoRTH
- ii. Director General, Border Roads Organization, New Delhi

- iii. Chairman, NHA
- iv. Chief Secretaries (PWD/Roads) of all State Govt. /UT with National Highways & Centrally sponsored schemes.
- v. Chief Engineers (PWD/Roads) of all State Govt. /UT with National Highways & Centrally sponsored schemes.
- vi. PS to MD-NHIDCL
- vii. PS to Dir(T-I)-NHIDCL /PS to Dir(T-II) NHIDCL
- viii. All ED(T/P), NHIDCL
- ix. GM(IT) - *with a request to put to notice on NHIDCL website.*

Am-1.

राष्ट्रीय राजमार्ग एवं अवसंरचना विकास निगम लिमिटेड

सड़क परिवहन और राजमार्ग मंत्रालय, भारत सरकार
तीसरी मंजिल, पीटीआई बिल्डिंग, 4-संसद मार्ग, नई दिल्ली-110001

National Highways & Infrastructure Development Corporation Limited

Ministry of Road Transport & Highways, Govt. of India
3rd Floor, PTI Building, 4-Parliament Street, New Delhi-110001, +91 11 23461600, www.nhidcl.com



(भारत सरकार का उद्यम)

(A Government of India Enterprise)

U.PStateBridgeCo.Ltd./Legal/W.P/2024/2430

Date: 05/07/2024

Office Order

Subject: Stay on the Non-performer Order of M/s UP State Bridge Corporation Limited dated 09.02.2024 upto 27th Aug'2024 - reg

National Highways & Infrastructure Development Corporation Limited (NHIDCL) vide Office Order no. NHIDCL/Sikkim/NH-717B/Rhenock-Menla/Pkg-III A/2224 dated 09.02.2024 had declared M/s UP State Bridge Corporation Limited as "Non-performer", in accordance to MoRTH Circular RW/NH-33044/76/2021-S&R(P&B) dated 06.10.2021, till the completion of the project of "Construction of 2-Laning with Paved Shoulder of New Greenfield Alignment from Chochenpheri at Km 52+000 to Helipad near Menla at Km 82+000 of Rhenock Menla Spur (NH-717 B) Package-III A on EPC Basis under SARDP-NE Phase-A in the State of Sikkim", thereby disabling M/s UP State Bridge Corporation Limited from participating in any bid of MoRTH or its executing agencies till such time the EPC Contractor is not removed from the list of "Non-performer".

2. In compliance to the orders of Hon'ble High Court of Delhi dated 20.05.2024 & dated 05.06.2024 in the case titled as M/s UP State Bridge Corporation Limited (Appelant) Vs NHIDCL (Respondent), NHIDCL vide its Office Order No. U.PStateBridgeCo.Ltd./Legal/W.P/2024/2389 dated 28.05.2024 & Office Order No. U.PStateBridgeCo.Ltd./Legal/W.P/2024/2410 dated 07.06.2024 had allowed stay on Non-performer order dated 09.02.2024 upto 01.07.2024.

3. Now, Hon'ble High Court in its hearing dated 01.07.2024 has directed that the interim order shall continue.

4. In adherence to the aforesaid directions passed by Hon'ble High Court of Delhi in its hearing on 01.07.2024, NHIDCL hereby extends the stay on the Office Order no. NHIDCL/Sikkim/NH-717B/Rhenock-Menla/Pkg-III A/2224 dated 09.02.2024 & removes the name of M/s UP State Bridge Corporation Limited from "Non-performer" list till the next date of hearing i.e. 27th Aug'2024.

5. This issues with the approval of the Competent Authority.

Yours Sincerely,

(Ankush Mehta),
General Manager (Tech)

Contd...

Copy to:

- i. Director General (RD) & SS, MoRTH
- ii. Director General, Border Roads Organization, New Delhi
- iii. Chairman, NHAI
- iv. Chief Secretaries (PWD/Roads) of all State Govt. /UT with National Highways & Centrally sponsored schemes.
- v. Chief Engineers (PWD/Roads) of all State Govt. /UT with National Highways & Centrally sponsored schemes.
- vi. PS to MD-NHIDCL
- vii. PS to Dir(T-I)-NHIDCL /PS to Dir(T-II) NHIDCL
- viii. All ED(T/P), NHIDCL
- ix. GM(IT) - *with a request to put to notice on NHIDCL website.*

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U.PStateBridgeCo.Ltd./Legal/W.P/2024 /2410

Date: 07/06/2024

Office Order

Subject: Stay on the Non-performer Order of M/s UP State Bridge Corporation Limited dated 09.02.2024 upto 1st July 2024 - reg

National Highways & Infrastructure Development Corporation Limited (NHIDCL) vide Office Order no. NHIDCL/Sikkim/NH-717B/Rhenock-Menla/Pkg-IIIA/2224 dated 09.02.2024 had declared M/s UP State Bridge Corporation Limited as "Non-performer", in accordance to MoRTH Circular RW/NH-33044/76/2021-S&R(P&B) dated 06.10.2021, till the completion of the project of "Construction of 2-Laning with Paved Shoulder of New Greenfield Alignment from Chochenpheri at Km 52+000 to Helipad near Menla at Km 82+000 of Rhenock Menla Spur (NH-717 B) Package-IIIA on EPC Basis under SARDP-NE Phase-A in the State of Sikkim", thereby disabling M/s UP State Bridge Corporation Limited from participating in any bid of MoRTH or its executing agencies till such time the EPC Contractor is not removed from the list of "Non-performer".

2. In compliance to the Judgement of Hon'ble High Court of Delhi dated 20.05.2024 in the case titled as M/s UP State Bridge Corporation Limited (Appellant) Vs NHIDCL (Respondent), NHIDCL vide its Office Order No. U.PStateBridgeCo.Ltd./Legal/W.P/2024/2389 dated 28.05.2024 had allowed stay on Non-performer order dated 09.02.2024 for a period of 10 days upto 07.06.2024.

3. Apropos to NHIDCL's Office Order No. U.PStateBridgeCo.Ltd./Legal/W.P/2024/2389 dated 28.05.2024, Hon'ble High Court in its hearing dated 31.05.2024 has directed NHIDCL for further extension on stay of the Non-performer order dated 09.02.2024 till the next date of hearing i.e. 1st July 2024.

4. In adherence to the aforesaid directions passed by Hon'ble High Court of Delhi in its hearing on 31.05.2024, NHIDCL hereby extends the stay on the Office Order no. NHIDCL/Sikkim/NH-717B/Rhenock-Menla/Pkg-IIIA/2224 dated 09.02.2024 & removes the

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name of M/s UP State Bridge Corporation Limited from "Non-performer" list with immediate effect till the next date of hearing i.e. 1st July 2024.

5. This issues with the approval of the Competent Authority.

Yours Sincerely,



(Ankush Mehta),
General Manager (Tech)

Copy to:

- i. Director General (RD) & SS, MoRTH
- ii. Director General, Border Roads Organization, New Delhi
- iii. Chairman, NHAI
- iv. Chief Secretaries (PWD/Roads) of all State Govt. /UT with National Highways & Centrally sponsored schemes.
- v. Chief Engineers (PWD/Roads) of all State Govt. /UT with National Highways & Centrally sponsored schemes.
- vi. PS to MD-NHIDCL
- vii. PS to Dir(T-I)-NHIDCL /PS to Dir(T-II) NHIDCL
- viii. All ED(T/P), NHIDCL
- ix. GM(IT) - *with a request to put to notice on NHIDCL website.*