

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN
&

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

MONDAY, THE 3RD DAY OF AUGUST 2015/12TH SRAVANA, 1937

WA.No. 1682 of 2015

AGAINST THE ORDER IN W.P.(C).NO.16003 OF 2015, DATED 22.07.2015

APPELLANT(S)/PETITIONER IN W.P.(C)/1ST RESPONDENT IN
THE I.A.NO.9460/2015 & PETITIONER IN I.A.NO.9260/2015 :

MICRO FX PVT. LTD.,
HAVING REGISTERED OFFICE AT SY.NO.23, DODDA BYLAKERE,
SHIVAKOTE POST, HESARGHATTA HOBLI,
BANGALORE NORTH - 560 089 AND HAVING BRANCH
OFFICE AT JAS HOTEL (P) LTD., P.B.NO.431,
THIRUVANANTHAPURAM - 695 014,
REPRESENTED BY ITS MANAGING DIRECTOR,
SAHIB JAN, AGED 51 YEARS, S/O.ABDUL JAFFAR.

BY ADVS.SRI.D.KISHORE
SMT.MINI GOPINATH
SMT.MEERA GOPINATH

RESPONDENT(S)/RESPONDENTS IN THE W.P.(C)/PETITIONERS 1 TO 3
AND RESPONDENTS 2 TO 5 IN I.A.NO.9460/2015 AND RESPONDENTS 1 TO 7 IN
I.A.NO.9260/2015 :

1. STATE OF KERALA,
REPRESENTED BY ITS PRINCIPAL SECRETARY TO GOVERNMENT,
TRANSPORT DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.
2. THE KERALA STATE ROAD TRANSPORT CORPORATION,
REPRESENTED BY ITS CHAIRMAN AND MANAGING DIRECTOR,
TRANSPORT BHAVAN, FORT, THIRUVANANTHAPURAM -695 023.
3. THE CHAIRMAN AND MANAGING DIRECTOR,
THE KERALA STATE ROAD TRANSPORT CORPORATION,
TRANSPORT BHAVAN, FORT, THIRUVANANTHAPURAM- 695 023.
4. THE CHAIRMAN,(TECHNICAL COMMITTEE)
OFFICE OF THE CHAIRMAN AND MANAGING DIRECTOR,
TRANSPORT BHAVAN, FORT, THIRUVANANTHAPURAM- 695 023.

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**5. M/S. QUANTUM POWER SYSTEMS,
REPRESENTED BY ITS MANAGING DIRECTOR, B-11, III-CROSS,
ITI INDUSTRIAL ESTATE, MAHADEVAPURA, BANGALORE - 560 048.**

**6. THE UNION OF INDIA,
REPRESENTED BY ITS SECRETARY
MINISTRY OF ROAD TRANSPORT AND HIGHWAYS,
TRANSPORT BHAWAN, 1, PARLIAMENT STREET,
NEW DELHI - 110 001.**

**7. THE ASSOCIATION OF STATE ROAD TRANSPORT UNDERTAKINGS,
REPRESENTED BY ITS SECRETARY, KHELGAON,
NEW DELHI - 110 049.**

**R1 BY SPL.GOVERNMENT PLEADER SMT.GIRIJA GOPAL
R2 TO R4 BY ADV. SRI.P.C.CHACKO, S.C
R6 & R7 BY ADV. SMT.VANDANA P., CGC**

**THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 03-08-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

Msd.

**ASHOK BHUSHAN, CJ
& A.M.SHAFFIQUE, J.**

W.A.No.1682 of 2015

Dated this the 3rd day of August 2015

J U D G M E N T

Ashok Bhushan, CJ

Heard learned counsel for the appellant.

2. This writ appeal has been filed against the interlocutory order passed in I.A.No.9460/2015 dated 22/07/2015 in W.P.C.No.16003/2015. Petitioner had filed the writ petition challenging the decision of the Kerala State Road Transport Corporation (for short 'KSRTC') and praying for setting aside Ext.P6 by which KSRTC had rejected the tender of the petition.

3. The learned Single Judge had initially granted interim order, but on an application filed by KSRTC, the interim order has been vacated by the order dated 22/07/2015. Aggrieved by the said order, the petitioner has filed this writ appeal.

4. Learned counsel for the appellant submits that decision to reject the said technical bid of the petitioner is incorrect. He submits that the appellant/petitioner fulfilled all requirements of the tender conditions and technical committee had committed

error in rejecting the bid. The learned Single Judge, after considering the application filed by the KSRTC, took the view that there is an urgent need for Electronic Ticketing Machines and there are no sufficient ground to continue the interim order dated 29/05/2015. With the above observation, the interim order was vacated.

5. We do not find any error in the order of the learned Single Judge dated 22/07/2015 in I.A.Nos.9260 & 9460 of 2015 in W.P.C.No.16003 of 2015 vacating the interim order dated 29/05/2015. It shall be open for the appellant/petitioner to raise all his submissions at the time when the writ petition is heard.

With the above observation, this writ appeal is dismissed.

(sd/-)
(ASHOK BHUSHAN, CHIEF JUSTICE)

(sd/-)
(A.M.SHAFFIQUE, JUDGE)

jsr

