

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

FRIDAY, THE 20TH DAY OF MARCH 2015/29TH PHALGUNA, 1936

WP(C).No. 7305 of 2015 (K)

PETITIONER(S):

SAFWAN K.E., AGED 26 YEARS
S/O.IBRAHIM, KUNNAPPULLY HOUSE, AKALUR P.O.
OTTAPALAM, PALAKKAD - 679 302.

BY SENIOR ADVOCATE SRI.S.V.BALAKRISHNA IYER
BY ADVS.SRI.P.B.KRISHNAN
SRI.P.M.NEELAKANDAN
SRI.P.B.SUBRAMANYAN
SRI.SABU GEORGE
SRI.S.NITHIN (ANCHAL)

RESPONDENT(S):

1. THE KERALA STATE ROAD TRANSPORT CORPORATION
REPRESENTED BY THE MANAGING DIRECTOR
TRANSPORT BHAVAN, EAST FORT, THIRUVANANTHAPURAM
PIN - 695014.
2. THE DISTRICT TRANSPORT OFFICER
KERALA STATE ROAD TRANSPORT CORPORATION
PALAKKAD DEPOT, PALAKKAD PIN - 678 001.
3. THE ASSISTANT TRANSPORT OFFICER
KERALA STATE ROAD TRANSPORT CORPORATION
PALAKKAD DEPOT, PALAKKAD, PIN - 678001.

R BY SRI.M.GOPIKRISHNAN NAMBIAR, SC, KSRTC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
20-03-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 7305 of 2015 (K)

APPENDIX

PETITIONER(S)' EXHIBITS

P1- DATED 1.4.2013, TRUE COPY OF THE NOTICE ISSUED BY THE 2ND RESPONDENT

P2- DATED 22.5.2013, TRUE COPY OF THE RECEIPT, BEARING NO.8226

P3- DATED 22.5.2013, TRUE COPY OF THE RECEIPT, BEARING NO.8227

P4- DATED 5.4.2013, TRUE COPY OF THE MEMORANDUM NO.ES.1-010958/11

P5- DATED 16.12.2014, TRUE COPY OF THE REPRESENTATION

P6- DATED 3.3.2015, TRUE COPY OF THE NOTICE NO.ES 3/030147/12

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.S. TO JUDGE.

V.CHITAMBARESH, J.

W.P (C) No.7305 of 2015

Dated this the 20th day of March, 2015

J U D G M E N T

The petitioner is the successful bidder of the right to run light refreshment stall in the Palakkad Depot of the Kerala State Road Transport Corporation. The petitioner was the successful bidder not only in the tender conducted in the year 2013 but also in the tender conducted in the year 2015. But then the tender conducted in the year 2013 was not followed up by an agreement and the right to conduct the light refreshment stall conferred on the petitioner.

2. Substantial amounts had been deposited by the petitioner when he was declared as the successful bidder in the tender conducted in the year 2013. The amounts so deposited is liable to be given credit to for the deposits to be made by the petitioner as the successful bidder of the tender in the year 2015. The petitioner has submitted a representation to the Kerala State Road Transport Corporation stating that the amounts will have to be reimbursed to him after adjustment since he has deposited a further sum of ₹ 1,80,000/- now. Any such representation shall be

considered with notice to the petitioner and the adjustment made so that all the remittances made for the bid in the year 2013 by the petitioner is given credit to towards the amount to be remitted as the successful bidder in the year 2015. Needless to say that the agreement following shall be executed without delay and the petitioner conferred the right without repeating the omission that occurred for the bid in the year 2013. The needful shall be done within a period of one month from the date of receipt of a copy of this judgment.

The writ Petition is disposed of.

Sd/-
V.CHITAMBARESH,
Judge.

nj.