

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 17TH DAY OF SEPTEMBER 2015/26TH BHADRA, 1937

WP(C).No. 26896 of 2015 (J)

PETITIONER:

**G.K.GASES & CHEMICALS,
REPRESENTED BY ITS MANAGING PARTNER,
PRETHISH KOVOOR, V/809, IDA, EDAYAR,
MUPPATHADOM.P.O, ALUVA, KOCHI, PIN-683110.**

**BY ADVS.SRI.K.SHAJ
SRI.SAJJU.S**

RESPONDENT(S):

- 1. THE PLANTATION CORPORATION OF KERALA,
REPRESENTED BY ITS MANAGING DIRECTOR,
KOTTAYAM-686004.**
- 2. THE MANAGING DIRECTOR,
THE PLANTATION CORPORATION OF KERALA,
KOTTAYAM-686004.**

BY SRI.RAJU SEBASTIAN VADAKKEKARA, SC

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 17-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

APPENDIX

PETITIONER(S)' EXHIBITS:

- P1 : TRUE COPY OF E-TENRDER INVITATION LETTER DATED 23/07/2015 ISSUED BY THE RESPONDENTS.
- P2 : TRUE COPY OF E-MAIL COPY DATED 10/08/2015 ISSUED BY THE PETITIONER TO THE RESPONDENTS.
- P3 : TRUE COPY OF LETTER DATED 11/08/2015 SUBMITTED BY THE PETITIONER TO THE RESPONDENTS.
- P4 : TRUE COPY OF LETTER DATED 13/08/2015 SUBMITTED BY THE PETITIONER TO THE RESPONDENTS.

RESPONDENTS' EXHIBITS: **NIL.**

//TRUE COPY//

P.S. TO JUDGE

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A.MUHAMED MUSTAQUE, J.

W.P.(C) No.26896 of 2015

Dated this the 17th day of September, 2015

JUDGMENT

The petitioner attempted to participate e-tender issued by the first respondent as per Ext.P1. Ext.P1 was issued on 23.7.2015. The last date of e-tender was on 10.8.2015. The petitioner made an attempt to login to the website and submit e-tender. This was on 10.8.2015 at 2 p.m. It was failed. Therefore, the petitioner have approached this Court to permit them to take part in the e-tender process.

2. Learned Standing counsel appearing for the respondents submits that they have finalised the e-tender proceedings and awarded the work to one Malanad Ammonia Pvt. Limited.

3. This Court is of the view when e-tender process is resorted, it is impermissible for the first respondent to accept tender in any other forum. Therefore, this Court cannot direct the first respondent to accept the tender from the petitioner. Though

the petitioner made an attempt to submit e-tender through on line on account of technical issues, he could not complete the process. In fact, on line process is not being administered by the respondents and it is done by IT Mission.

In such circumstances, this Court find that there is no reason to interfere with e-tender process now completed by the first respondent. If the petitioner's request is allowed, the entire exercise has to be done again. Therefore, the public interest demands that this Court should not order interfere for the sake of an individual. Accordingly, this writ petition is dismissed.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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