

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE**

**MONDAY, THE 2ND DAY OF NOVEMBER 2015/11TH KARTHIKA, 1937**

**WP(C).No. 31681 of 2015 (I)**  
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**PETITIONER(S) :**  
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**M/S.FAROOQ CONSTRUCTIONS,  
FATHIMA MANZIL, P.H.WARD, ALAPPUZHA,  
REPRESENTED BY THE MANAGING DIRECTOR.**

**BY SRI.K.L.VARGHESE (SENIOR ADVOCATE)  
ADVS. SMT.SANTHA VARGHESE  
SRI.RAHUL VARGHESE  
SRI.RANJITH VARGHESE**

**RESPONDENT(S) :**  
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**M/S.INDIAN RARE EARTHS LIMITED,  
(A GOVERNMENT OF INDIA UNDERTAKING), CHAVARA-691 583,  
KOLLAM, REPRESENTED BY THE CHAIRMAN & MANAGING DIRECTOR.**

**BY ADVS. SRI.M.GOPIKRISHNAN NAMBIAR  
SRI.P.GOPINATH  
SRI.P.BENNY THOMAS  
SRI.K.JOHN MATHAI  
SRI.JOSON MANAVALAN  
SRI.KURYAN THOMAS**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD  
ON 02-11-2015, THE COURT ON THE SAME DAY DELIVERED  
THE FOLLOWING:**

Msd.

**APPENDIX**

**PETITIONER(S)' EXHIBITS :**

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- P1 : TRUE COPY OF THE REGISTRATION CERTIFICATE AS 'A' CLASS REGISTERED CONTRACTOR OF THE KERALA PUBLIC WORKS DEPARTMENT.**
- P2 : TRUE COPY OF THE RELEVANT PAGES OF THE NOTICE INVITING TENDER ISSUED BY THE RESPONDENT.**
- P3 : TRUE COPY OF THE DEMAND DRAFT SUBMITTED TO THE RESPONDENT.**
- P4 : TRUE COPY OF THE RELEVANT INCOME TAX RETURN ACKNOWLEDGMENT FOR THE ASSESSMENT YEAR 2013-14 AND ANNEXURE PART A.**
- P5 : TRUE COPY OF THE EXPERIENCE CERTIFICATE DATED 16.04.2013 ISSUED BY THE EXECUTIVE ENGINEER, ROADS DIVISION, ALAPPUZHA.**
- P6 : TRUE COPY OF THE SCHEDULE RELATING TO THE ROAD WORK AS PART OF IMPROVEMENTS TO ALAPPUZHA-THANNEERMUKKAM-KOTTAYAM-S.H (ALAPPUZHA-MADURAI ROAD).**
- P6(A): TRUE COPY OF ORDER DATED 11.08.2011 ISSUED BY THE SUPERINTENDING ENGINEER, PWD ROADS AND BRIDGES SOUTH CIRCLE, THIRUVANANTHAPURAM.**
- P7 : TRUE COPY OF LETTER DATED 06.10.2015 ISSUED BY THE PETITIONER TO THE RESPONDENT.**
- P8 : TRUE COPY OF THE PROFORMA TO ACCOMPANY THE COMPLETION CERTIFICATE.**

**RESPONDENT(S)' EXHIBITS :**

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**NIL**

**//TRUE COPY//**

**P.S.TO JUDGE.**

Msd.

**A.MUHAMED MUSTAQUE, J.**

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**W.P(C).No. 31681 of 2015**  
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**Dated this the 2<sup>nd</sup> November, 2015**

**JUDGMENT**

Learned counsel for the petitioner submits that the Writ Petition can be closed, since the petitioner is not otherwise entitled to be considered for pre-qualification, as he was the third lowest bidder.

Accordingly, the Writ Petition is closed without deciding the issues relating to the eligibility.

**A.MUHAMED MUSTAQUE  
JUDGE**

vgs3/11/15