

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE
OF ANDHRA PRADESH

(Special Original Jurisdiction)

PRESENT

THE HON'BLE THE
CHIEF JUSTICE SRI KALYAN JYOTI SENGUPTA
AND
THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT APPEAL NO.1104 OF 2014

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DATED: 26-02-2015

Between:

K. Hari Babu

.. Appellant

And

The Government of A.P. rep. by its
Secretary, Endowments Department
and others

.. Respondents

THE HON'BLE THE CHIEF JUSTICE SRI KALYAN JYOTI
SENGUPTA
AND
THE HON'BLE SRI JUSTICE SANJAY KUMAR

-
WRIT APPEAL NO.1104 of 2014
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JUDGMENT: (per Hon'ble The Chief Justice Sri Kalyan Jyoti Sengupta)

This appeal is preferred against the judgment and order of the learned Single Judge dated 05th June, 2014, by which the writ petition was dismissed. The writ petitioner approached this Court questioning the action of the respondents in rejecting his tender for purchase of a plot of land. He submitted his tender in terms of the notification dated 25th November, 2009 issued by the fourth respondent Urban Development Authority. The petitioner was found to be the only bidder. On that ground, the petitioner wanted that his bid should be accepted and the property should be offered to him at the price quoted.

We do not find any infirmity or illegality in the judgment and order of the learned Trial Judge as we notice that the respondent authority was not bound to accept the tender of the petitioner in view of the terms and conditions contained therein. The relevant condition is Condition No.12 under which the tender authority had the power to postpone or cancel the tender/auction without assigning any reason. The said tender condition has not been challenged to be arbitrary or illegal. Therefore, we are of the view that the Government has a right to cancel the bid.

The writ appeal is accordingly dismissed. Pending miscellaneous petitions, if any, shall stand closed. No order as to

costs.

K.J. SENGUPTA, CJ

SANJAY KUMAR, J

26-02-2015

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THE HON'BLE THE CHIEF JUSTICE SRI KALYAN JYOTI
SENGUPTA
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WRIT APPELLANT NO.1104 of 2014

(Judgment of the Division Bench delivered by Hon'ble
The Chief Justice Sri Kalyan Jyoti Sengupta)

26-02-2015