

HON'BLE SRI JUSTICE R. KANTHA RAO

WRIT PETITION No.4251 of 2015

ORDER:

Heard learned counsel appearing for the petitioner and the learned Government Pleader for Civil Supplies appearing for Respondent Nos.1 and 2.

2. The petitioner is the transport contractor of the respondent- Corporation. By tender notification dated 17.7.2013 the Nalgonda District Unit has called for the tenders under Unified Transport System (for short the 'UTS') and that the petitioners were appointed as contractors for transportation of commodities from various godowns to MLS Points and Fair price shops. According to the petitioner, in 2013-14, the tenders were called for entire state under UTS but in most of the districts there were hardly any participants in the tenders, as such except in those districts, where the tenderers participated in the tender called for under UTS, all other districts called for the tenders for Stage-I and Stage-II transport contracts. Prior to 17.07.2013, the tenders were called for, for the entire district under UTS vide notification No.PDS/UTS/79/2013-14 by the various Joint Collectors, and Ex-Officio Executive Director of the Corporation. As there were no participants in the tender, the Corporation has issued second tender on 17.07.2013 by dispensing with GPS and colour coding system and the tenders were called for under UTS by the 2nd respondent. The petitioner, who is the contractor of various divisions in Nalgonda District, has submitted a representation dated 05.02.2015 to the 1st respondent to call for the tenders under UTS and also expressed their willingness to fix the GPS system to all the vehicles used for transportation of commodities in the District. The 1st respondent has not responded to the said representations and issued tender notification No.PDS2/Movt/FG5(1)/ Stage-I tenders/2015-16/TS dt.09.02.2015 calling for E-Tenders for the District under the control of the 1st respondent under Stage-I system starting from 01.04.2015 to 31.03.2016. According to the petitioner, if once again the respondent- Corporation resorts to appoint transport contractors, under Stage-I system, the petitioner will be put to hardship. Therefore, the petitioner

filed the present writ petition to consider the representation before finalizing the tender for the year 2014-15.

3. Having heard the learned counsel on either side and having regard to the facts and circumstances, the respondents are directed to consider the representation of the petitioner dated 05.02.2015 and continue the petitioner under Unified Transport System before finalizing the tender process for the year 2014-15.

4. Accordingly, the writ petition is disposed of. Miscellaneous Petitions pending, if any, shall stand closed. There shall be no order as to costs.

R.KANTHA RAO,J

Date: 24.02.2015

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HON’BLE SRI JUSTICE R. KANTHA RAO

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