

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

W.P.No.11383 OF 2012

ORDER

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This writ petition is filed aggrieved by the action of the 1st respondent in awarding the contract for construction of sullage drains along with GSBC Canal from Masthanvali Darga to Old Guntakal under 13th FCG-2011-12, to the 5th respondent vide Tender Notification No.3404/2011/E1/13thFCG/2011-12/A, dated 18.10.2011 inspite of petitioner quoted the tender 5.40 less than the 5th respondent who quoted 4.80 excess, as illegal and arbitrary and for a consequential direction to set aside the same.

Counter affidavit is filed by the respondents 1 to 4 denying that the 1st respondent allotted the work to the 5th respondent ignoring the quotation of the petitioner even though he quotes 5.40% less than the 5th respondent. It is also stated that the petitioner has uploaded 7 number of DDs towards EMD drawn on 13.09.2011 amounting to Rs.41,000/- whereas the date of calling of tenders is on 18.10.2011, which is contrary to the tender conditions. As such, the tender notification filed by the petitioner is caused for rejection. Thereafter, the 5th respondent was declared as the lowest bidder and the work was allotted to him. It is further stated that the 5th respondent has completed 50% of the said work.

Till date, no interim order was granted by this Court except issuing notice before admission on 19.04.2012 and by this time, the balance work must have also been completed. However, the petitioner's tender is rejected on the ground that he has drawn DD's prior to issuance of tender notification. In view of the above facts and circumstances, I do not see any merit in the writ petition.

Accordingly, the writ petition is dismissed. No costs. As a sequel, miscellaneous petitions pending if any, shall stand closed.

Date: 14.07.2015
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A.RAJASHEKER REDDY,J