

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.10057 OF 2015

ORDER:

This petition is filed for a writ of *Mandamus* declaring the inaction of respondents in concluding the process of finalization of tenders in pursuance of the Request for Proposal (RFP) notification dated 26.04.2012, as arbitrary and illegal offending Article 14 of the Constitution of India and issue a consequential direction to the respondents to conclude the process of finalisation.

The case of the petitioner is that in pursuance of paper notification dated 26.04.2012 inviting tenders under Request for Proposal (RFP) for multi-use commercial developments at Visakhapatnam, the petitioner submitted his tender; that again bids were called for the second time by publishing news on 16.08.2012; that Technical Evaluation Report was submitted by the 4th respondent on 10.09.2012 declaring the petitioner eligible for second stage of business proposal evaluation; that on 21.12.2013, the Council approved tenders and permitted the petitioner to submit proposals to the 1st respondent for scrutiny and that on 19.05.2014, 1st respondent issued a memo to furnish the revised proposal duly following the draft PPP Rules and G.O.Ms.No.571 dated 14.09.2012. On 10.07.2014, the 3rd respondent addressed a letter to the 1st respondent to accord tender approval for PPP Projects; that on 22.08.2014, the 3rd respondent herein issued a letter to the 1st respondent informing finalization of tenders and receipt of reports from respondents 3 and 4. The petitioner made representations on 26.02.2014, 10.03.2014 and 02.04.2015 to the 3rd respondent requesting to conclude the tender and issue letter of award to enable him to start work. But no action has been taken.

Heard the learned counsel for the petitioner, the learned Government Pleader for Municipal Administration appearing for respondent No.1, learned Government

Pleader for Revenue appearing for respondent No.2 and Sri S.Laxminarayana Reddy, learned Standing Counsel appearing for respondent Nos.3 and 4.

On 22.04.2015, the petitioner sought liberty to file representation to the Government for taking a decision. Since, his case is kept pending for a long time, liberty was granted. Accordingly, the petitioner filed representations. Since the representations filed by the petitioner are pending before the Government, it has to consider the same and take a decision.

In view of the same, this writ petition is disposed of, directing the 1st respondent to dispose of the representations filed by the petitioner and take action accordingly.

With the above direction, this Writ Petition is disposed of. No order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

30.04.2015

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