

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 11275 of 2015

ORDER:

Heard learned counsel for the petitioner and learned Government Pleader for the respondents 1 to 3.

2. The petitioner is an elected President of Veeranna Tank, Mahamadhapur Village, Pangal Mandal, Mahabubnagar District. He challenged the award of contract of restoration of Veeranna Cheruvu, Mahamadhapur Village, Pangal Mandal, Mahabubnagar, to the 4th respondent, pursuant to a tender notification dated 17.03.2015, who quoted 4.99% excess of the estimated cost of contract work, while not awarding the contract to the contractors who quoted 15.33% less. The petitioner is not a tenderer nor he is associated with the tendering process.

3. Now, the respondents have filed a counter affidavit stating that the other tenderers except the 4th respondent did not fulfill the qualification criteria and the 4th respondent alone fulfilled the technical eligibility criteria as prescribed by the Department. Hence, the price bid of the 4th respondent was opened on 31.03.2015. It was noticed that the price bid of the 4th respondent is 4.99% excess over the estimated contract value. The counter affidavit further states that since the price bid of all other tenderers was not opened, their tender percentage is also not known. An agreement is also concluded pursuant to the opening of the price bid on 06.04.2015 and the 4th respondent has started the work.

4. In view of the above facts, the Writ Petition filed by the petitioner, who is not associated with the tendering process, is not maintainable and is accordingly dismissed. Miscellaneous petitions, if any, pending in the writ petition shall stand closed. There shall be no order as to costs.

(A.RAMALINGESWARA RAO, J)

15th June, 2015

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