

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE

AND

HON'BLE SRI JUSTICE S.V. BHATT

WRIT APEAL No. 387 OF 2015

12-06-2015

Between:

M/s. Zoa Zone Services Private Ltd. Rep., by its Chief Executive Officer Sri K.
Srinivasulu, Plot No. 280 C, Road No. 10C, Jubilee Hills, Hyderabad and another

... Appellant

And

The Greater Hyderabad Municipal Corporation rep., by its Commissioner & Special
Officer, GHMC, Hyderabad and five others

... Respondents

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HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE

AND

HON'BLE SRI JUSTICE S.V. BHATT

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WRIT APEAL No. 387 OF 2015

PC: (per the Hon'ble the Acting Chief Justice Dilip B. Bhosale)

None appears for the appellant. Heard Mr. P. Kesava Rao, learned Standing Counsel for respondent Nos.1 to 4. None appears for respondent Nos.5 and 6 though served.

This writ appeal impugns the following interim order dated 07-05-2015 passed in Writ Petition No. 12951 of 2015:

“Heard learned Counsel for both the parties.

The technical bid of the petitioners was rejected due to non-payment of EMD. However, in pursuance of Order, dated 25-03-2015, passed by this Court in WP.Nos.6227 & 7899 of 2015, the petitioners have deposited the EMD. The grievance of the petitioners is that in spite of such payment, their technical bid has not been considered.

On 29-04-2015, this Court has granted interim stay till 30-04-2015, which was extended, on 30-04-2015, for a period of ten days.

The learned Standing Counsel for the Corporation has produced the evaluation sheet, whereby the petitioners’ technical proposal was evaluated as per Clause 5.3 of the tender conditions, and stated that the petitioners have not secured the minimum technical score of 75 points and as such, their technical bid was not considered.

In view of the same, I do not see any ground to continue the interim order, dated 29-04-2015, as extended on 30-04-2015, and the same is vacated. However, it is made clear that the award of contract in favour of respondent Nos.5 and 6 shall be subject to further orders in the Writ Petition.

Post on 01-06-2015 in the Motion list.”

This Court is informed that as per the observations made in the interim order, the contract has already been awarded to respondent Nos.5 and 6 and they have started executing the contract. That seems to be the reason why nobody is coming forward to workout this appeal. Hence, we are constrained to dismiss this appeal for non-prosecution. Order accordingly.

Miscellaneous petitions, if any, also stand disposed of.

DILIP B. BHOSALE, ACJ

S.V. BHATT, J

12-06-2015

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