

HON'BLE SRI JUSTICE S.V. BHATT

WRIT PETITION No.6294 OF 2015

ORDER:

Heard learned counsel for the petitioner and the Government Pleader.

The petitioner assails tender notice (Diet) dated 07.03.2015, as illegal, arbitrary and contrary to G.O.Ms.No.325, Health, Medical and Family Welfare (M1) Department, dated 01.11.2011.

The petitioner through proceedings No.01/Diet/DH.TNL/E1/2012 dated 13.07.2012 was entrusted Diet supply contract to the inpatients and duty Doctors at District Hospital, Tenali at Guntur District. The entrustment is for a period of two years. Through communication dated 30.06.2014, the existing arrangement has been made continued till the new contract is awarded to a firm.

The grievance of the petitioner is that the respondents issued the impugned tender notice and if the selection process is completed before the expiry of 30.06.2015, the existing arrangement with the petitioner may be discontinued and the petitioner will be put to great loss and hardship.

The learned Government Pleader firstly by referring to the inherent mechanism provided for under G.O.Ms.No.325 dated 01.11.2011 contends that the tender notice is issued well in advance to ensure continuation of Diet supply to the patients/Doctors with the expiry of present arrangement. On written instructions, he submits that the termination of present arrangement does not arise provided the petitioner satisfactorily discharges the Diet supply obligations. The tender notice is issued for Diet supply contract effective from 01.07.2015. The stand of the respondents is placed on record.

The writ petition is accordingly disposed of. No order as to costs. It is made clear that the statement is placed on record subject to the petitioner satisfactorily discharging the agreed obligations and deviation of any of the obligations by petitioner the respondents are free to take action in accordance with law/contract.

Miscellaneous petitions, if any, pending in the writ petition shall stand closed.

J

S.V.E

Date:19.03.2015
Stp