

HON'BLE SRI JUSTICE R. KANTHA RAO

W.P.No.6918 of 2015

ORDER:

Heard learned counsel appearing for the petitioner and learned Standing Counsel for APSRTC appearing for respondents 1 and 2.

This Writ Petition is filed seeking to declare the action of the respondents in confirming the auction in favour of the 3rd respondent *vide* letter dated 20.02.2015, as arbitrary and illegal.

The petitioner is the proprietor of Kanakadurga Caterers, Rajahmundry. Pursuant to the notification dated 27.12.2014 issued by the respondent-Corporation, the petitioner submitted his tender and became the third highest bidder in the auction. Thereafter, the petitioner came to know that the first and second highest bidders did not comply with the terms and conditions as required in the tender notification. In spite of the same, the respondent-Corporation confirmed the auction in favour of the 3rd respondent.

Learned counsel appearing for the petitioner submits that the 3rd respondent is not a member of Andhra Pradesh Hoteliers Association. Learned counsel further submits that the first and second highest bidders have submitted the income tax returns only for one year, but not two years, as required in the tender notification.

On the other hand, learned Standing Counsel appearing for the respondent-Corporation submits that the 3rd respondent is a member of the said association.

Having regard to the submissions made by the learned counsel on either side, the respondents 1 and 2 are directed to consider and dispose of the representation dated 27.2.2015 made by the petitioner, before finalizing the tenders.

Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

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

JUSTICE R. KANTHA RAO

19th March, 2015

*Note: Issue CC by Monday.
(B.O) rkk*

