

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

Writ Petition No.38092 of 2015

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Dated 24th November, 2015

Between:

Srinivasa Waddera Labour Contract Co-op Society Ltd.,

...Petitioner

And

State of Telangana, rep.by its Principal Secretary, Municipal Administration,
Secretariat, Hyderabad and others

...Respondents

Counsel for the petitioner: Sri M.V.Venu

for Sri Kowturu Vinaya Kumar

Counsel for respondent No.1: AGP for Municipal Administration (TS)

The Court made the following:

ORDER:

This writ petition is filed questioning letter bearing No.SE/NZ/GHMC/2015-16/964, dated 09.11.2015, of respondent No.3, whereby he has rejected the

petitioner's tender on the ground that the petitioner being a Class-V contractor is not eligible for award of contract as Class-IV contractors are alone eligible.

The petitioner pleaded that while under G.O.Ms.No.94, Irrigation and CAD (PW-COD) Dept., dated 01.07.2003, Contractors with Class-V registration certificate are entitled to execute the works upto the maximum limit of Rs.10,00,000/-, under G.O.Ms.No.14, Irrigation and CAD (Reforms) Department, dated 31.01.2015, this limit is enhanced to Rs.50,00,000/-.

At the hearing, the learned counsel representing the learned Standing Counsel for GHMC submitted that G.O.Ms.No.14, dated 31.01.2015, on which the petitioner has placed reliance has not so far been adopted by respondent No.2-Corporation and that therefore it has not applied the said GO.

A perusal of G.O.Ms.No.14, dated 31.01.2015, shows that the same is issued by the Irrigation and CAD Department. Respondent No.2 being a statutory Corporation not forming part of the said Department, the said GO is not straightaway applicable to it, unless the same is formally adopted. Having regard to the submission of the learned Standing Counsel for respondent No.2 that so far no such adoption is made by respondent No.2, which is not controverted by the learned counsel for it, the petitioner cannot be considered as eligible for executing the subject work which is of the value of Rs.32,00,000/-.

For the above-mentioned reasons, the writ petition is dismissed.

As a sequel to dismissal of the writ petition, WP.M.P.No.49025 of 2015 shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

24th November, 2015

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