

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE

AND

HON'BLE SRI JUSTICE S.V. BHATT

WRIT APPEAL No. 401 OF 2015

AND

WRIT PETITION No.5507 OF 2015

12-11-2015

Between:

M/s. New Nagendra Lorry Transport, now rep., by its Managing Partner, Sheri Raju,
S/o. Narsaiah, aged about 41 years, R/o. H.No. 16-3-754/5, Ekashila Nagar, Fort
Road, Warangal

... Petitioner

And

Sri Sai Mini Lorry Suppliers, rep., by its Proprietor, S. Naveen, S/o. Sammaiah, aged
36 years, Occupation: Business, R/o.H.No. 15-5-157, Papaiahpet Chaman,
Warangal District and others

... Respondents

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

This writ appeal is directed against the order dated 01-05-2015 passed in WPMP No. 12152 of 2015 and Writ Petition No. 5507 of 2015, whereby the learned Judge allowed the writ petition setting aside the re-tender notice dated 28-02-2015 issued by the respondent – Corporation and directed to award contract to respondent No. 1 – writ petitioner pursuant to the tender notification dated 09-02-2015 for the year 2015-2016 of Warangal District in the State of Telangana.

This Court, on 30-09-2015, refused to vacate the interim order dated 28-05-2015 and observed that the Corporation may proceed with the second tender process subject to outcome of the appeal.

In this backdrop, learned counsel appearing for respondent No.1 placed memo dated 12-11-2015 seeking permission to withdraw the writ petition itself and stated that respondent No.1 has no objection for setting aside the order of the learned single Judge impugned in the appeal.

Learned counsel for the respondent – Corporation and learned counsel for the added respondents have no objection for allowing respondent No.1 to withdraw the writ petition itself. Hence, we pass the following order:

“Writ petition is allowed to be withdrawn. As a consequence thereof, the order impugned in the appeal renders ineffective. At this stage, learned counsel for respondent No.1 submits that respondent No.1 may be permitted to withdraw the EMD amount (Rs.15,00,000/-) which was deposited with the respondent – Corporation. Learned counsel for the respondent – Corporation and learned counsel for the added respondents have no objection for allowing respondent No.1 to withdraw the said amount. Order accordingly.”

Writ appeal and writ appeal, both are accordingly disposed of.

Miscellaneous petitions, if any, also stand disposed of.

DILIP B. BHOSALE, ACJ

S.V. BHATT, J

12-11-2015

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