

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

**Writ Petition No.5971 of 2012**

**Dated 13<sup>th</sup> August, 2015**

**Between:**

Adarsh Welfare Society and another

**...Petitioners**

**And**

Andhra Pradesh State Road Transport Corporation, Musheerabad,  
Hyderabad rep.by its Vice Chairman and Managing Director and  
others

**...Respondents**

**Counsel for the petitioners: Sri O.Manohar Reddy**

**Counsel for respondent Nos.1 to 4: Sri A.Ravi Babu**

**Counsel for respondent No.5: Sri Kamalakar**

**The Court made the following:**

**ORDER:**

This writ petition is filed by two Co-operative Societies feeling aggrieved by proceedings bearing No.P4/785(10)/2011-RM-NLG, dated 26.12.2011, of respondent No.3, holding that the petitioners are not qualified for award of work with regard to maintenance of toilets at 'A' Class and 'B' Class bus stations.

Shorn of unnecessary details, it requires to be noted that though the impugned order was suspended on 16.04.2012 by this Court, the contract was awarded to respondent No.5 which is not questioned in this writ petition.

At the hearing, Sri O.Manohar Reddy, learned counsel for the petitioners, who has made a frontal attack on the conduct of respondent No.3, submitted that even though vigilance report was filed

against respondent No.5 recommending registration of criminal cases, it was chosen by respondent No.3 for award of contract while disqualifying the petitioners on wholly unreasonable grounds. He has further submitted that not only that respondent No.3 has awarded contract works to respondent No.5, he has been extending the contract in favour of the said respondent from time to time and that the extension last made on 05.02.2015 will last till March, 2016. He has also submitted that though the petitioners were declared as not qualified for award of contract, their EMDs and other deposits were not returned so far.

Sri A.Ravi Babu, learned Standing Counsel for respondent No.1 (presently TSRTC), submitted that there can be no objection for the Corporation to refund the deposits of the petitioners. He has further submitted that the contracts in favour of respondent No.5 have been extended till March, 2016 and it was also decided that fresh tenders must be called for in December, 2015.

Though this Court is of the opinion that respondent No.3 has not acted in a fair manner in awarding contracts to respondent No.5 despite vigilance report, as the said action is not subject matter of this writ petition, I refrain from rendering conclusive findings thereon. However, considering the submission of the learned Standing Counsel that the petitioners' EMDs and other deposits will be returned, respondent No.3 is directed to return the same within two weeks from the date of receipt of a copy of this order. Respondent No.3 is also directed to ensure that tenders are called for as decided by the Corporation in December, 2015 in order to give an opportunity to the intending tenderers, including the petitioners.

Subject to the above directions, the writ petition is disposed of.

As a sequel to disposal of the writ petition, W.P.M.P.Nos.7575 & 7576 of 2012; 27933 of 2013 and W.V.M.P.Nos.1530 & 1883 of 2012 shall stand disposed of as infructuous.

**C.V.NAGARJUNA REDDY, J**

13<sup>th</sup> August, 2015  
VGB