

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

CONTEMPT CASE NO.1594 OF 2013

ORDER:

Neither is the counsel for the petitioner present nor is there any representation on his behalf. Heard Ms. G.Jhansi, learned counsel for the third respondent-Bank.

The order, violation of which is alleged in this Contempt Case, recorded the submission of the petitioner that, despite the order of this Court in W.P.No.23514 of 2013 dated 16.08.2013 directing the petitioner's application to be considered in accordance with law, the respondents had not considered the petitioner's tender at all; and they were now going to allot the contract to the fourth respondent from 01.09.2013. By its order in W.P.No.23514 of 2013 dated 30.08.2013 this Court, while directing the respondents not to award the contract in favour of the fourth respondent for a period of ten days, made it clear that it was open to the respondent-Bank to make interim arrangements in the meanwhile for security to be provided to the bank.

In the counter affidavit now filed by the Chief Executive Officer of the Bank, it is stated that tenders were opened on 03.08.2013; the allotment of tender in favour of the fourth respondent was completed on 10.08.2013, even before the interim order was passed; and, on completion of the scrutiny process of the technical bids, the Sub-Committee members were informed; and the fourth respondent commenced work from 01.09.2013.

While it is no doubt true that the order of this Court required the respondents not to award the contract for a period of ten days, Ms. G.Jhansi, learned counsel for the third respondent, would submit that the said order was not extended thereafter, and the said interim order was no longer in force. As the order, violation of which is alleged in this Contempt Case, is itself not in force as on date, I see no reason to proceed against the respondents under the Contempt of Courts Act, 1971.

The Contempt Case is, accordingly, closed.

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(RAMESH RANGANATHAN, J)

19th February 2016

RRB