

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.41900 of 2015

Date:04.01.2016

Between:

Amar Bin Ahmed,
S/o Mr. Ahmed Bin Salam

..... Petitioners

And:

The State of Telangana, repled., by its
Principal Secretary, Panchayat Raja and
Rural Development Department,
Hyderabad and two others.

.....Respondents

Counsel for the Petitioner: Mr. Mohammed Rahah Ahmed

Counsel for Respondent Nos.1 to 3: AGP for Panchayat Raj
(TS)

The Court made the following:

ORDER:

The petitioner, who claims to have emerged as L1 in respect of three items of works notified under IFB No.98/CE/2015-16, dated 17.10.2015, filed this Writ Petition feeling aggrieved by the inaction of respondent Nos.2 and 3 in allotting the said works to him.

At the hearing, it has come out that one B.Gopal, S/o Chandraiah, has filed Writ Petition No.38943 of 2015 on the plea that the petitioner herein was L1 in respect of all the three items of works notified in the tender notice and that he was L1 along with the petitioner herein in respect of item No.3, viz., construction of bridge

on road from PR road at 8/300 km to Ringaguda, Asifabad Mandal, Adilabad District and he has, accordingly, pleaded that while item Nos.1 and 2 may be awarded to the petitioner herein, item No.3 may be awarded to him. This Court disposed of the said Writ Petition on 01.12.2015 with the observation that as no decision has been taken by respondent No.2 so far and in the absence of any method prescribed for deciding as to in whose favour the contract should be awarded in case the rates quoted by two or more tenderers are same, no direction can be issued to the authorities concerned to act in a particular way. However, respondent No.2 was directed to keep in mind the equitable considerations while taking a decision on allotment of the work falling under item No.3.

Learned Assistant Government Pleader for Panchayat Raj (Telangana State) submitted that finalisation of tenders is at the concluding stage and that a decision will be taken by respondent Nos.2 and 3 strictly in accordance with the tender conditions and the same will be communicated to the petitioner shortly.

In the light of the above facts and the submissions of the learned Assistant Government Pleader, respondent Nos.2 and 3 are directed to take a decision within two weeks from the date of receipt of a copy of this order and communicate the same to the petitioner.

Subject to the above directions, the Writ Petition is disposed of.

As a sequel to disposal of the Writ Petition, W.P.M.P.No.54034 of 2015 shall stand disposed of as infructuous.

*JUSTICE C.V.NAGARJUNA
REDDY*

*04th January, 2016
DR*

