

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No. 15566 of 2016

ORDER:

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The case of the petitioner is that petitioner firm established in the year 2001 and doing business of supplying Man-power, Security services and house-keeping in various government and public sector undertaking units. The petitioner was awarded work of respondents institute for the supply of man-power, security services and house-keeping services for a period from 01-05-2015 for a period of one year and the petitioner is entitled for various amounts in pursuance of contract entered with the respondents for the said period. Now the respondents without paying dues to the petitioner, which he is entitled, issued tender notification on 18-03-2016. Aggrieved by the same, the present writ petition is filed.

Learned counsel for the petitioner submits unless dues are paid, the respondent-authorities cannot issue fresh tender notification.

On the other hand, Sri B.Narasimha Sharma, learned counsel appearing for the respondent submits that in pursuance of tender notification dated 18-03-2016, the petitioner was also one of the participants and without disclosing the same, the present writ petition is filed. He submits that all the dues are paid

and at any rate, the petitioner cannot be continued beyond the agreement period without issuing tender notification and the writ petition is liable to be dismissed on the ground of suppression of fact.

In this case, it is to be seen that learned counsel for the petitioner has not denied that the petitioner participated in the tender process, in pursuance of the notification dated 18-03-2016. More so, non-payment of any dues in respect of agreement period does not entitle the petitioner for continuing beyond the period without issuance of fresh tender notification. As such, there is no merit in the writ petition and the same is dismissed. However, it is open for the petitioner to make application to the respondents-institute in respect of dues during contract period from 01-05-2015 for a period of one year. If any such application is made, the respondent-authorities to dispose of the same in accordance with law. As a sequel thereto, miscellaneous petitions, if any, pending in this Writ Petition, shall stand closed.

A.RAJASHEKER REDDY,J

29-04-2016
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