

THE HONOURABLE SRI JUSTICE CHALLA KODANDA RAM
WRIT PETITION No.13311 OF 2016

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies.

As can be seen from the contents of the affidavit of the petitioner, the tender notification is mainly challenged on the ground that the same is tailor made to suit the pre-fixed individuals by fixing a short duration i.e. a notification being published on 09.04.2016 and tender was conducted on 13.04.2016 with the onerous condition of submission of various documents both online as well as hard copies of the same with the office of the respondent-Corporation. It is also the contention of the petitioner that the procedure of obtaining digital signatures, etc. is time consuming one and even to obtain digital signatures sufficient time would be required. In that view of the matter, the learned senior counsel contends that fixing a short duration was unreasonable.

Sri K.Raghu Babu, learned standing counsel, appearing for respondent-Corporation submits that the petitioner had participated in the tender and he was unsuccessful. Having participated in the tender, the petitioner cannot contend that there was no sufficient time inasmuch as he in fact participated in the tender process. Therefore, he seeks dismissal of the writ petition.

Having considered the respective submissions, this Court is of the view that the contention with respect to short duration of time allowed to participate in the tender process cannot be accepted inasmuch as the petitioner had participated in the tender process and that itself goes to show that the petitioner was able to meet the requirements of the tender notice. In that view of the matter, there is

no reason for this Court to entertain the writ petition on the ground of short duration of time allowed in the tender process. It is also made clear that this Court is not expressing any opinion on merits of the present case with respect to other contentions raised by the petitioner.

Hence, the writ petition is dismissed only on the ground that having participated in the tender process, the petitioner cannot complain with regard to the conditions in the tender. There shall be no order as to costs.

Miscellaneous petitions pending in the writ petition, if any, shall stand closed.

Challa Kodanda Ram, J

22nd April, 2016.

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