

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.2903 of 2016

Date:01.02.2016

Between:

Sabbithi Venkata Ratnakar,
S/o Suryachandra Rao and another.

..... Petitioners

And:

The State of A.P., repled., by its Principal
Secretary, Municipal Admn, Hyderabad
and seven others.

.....Respondents

Counsel for the Petitioners: Mrs. Marella Radha

Counsel for Respondent No.1: GP for Municipal Admn. (AP)

Counsel for Respondent Nos.3 & 4: AGP for Roads &
Buildings (AP)

Counsel for Respondent No.5: AGP for Irrigation (AP)

Counsel for Respondent No.6: AGP for Panchayat Raj (AP)

Counsel for Respondent No.7: GP for Tribal Welfare (AP)

Counsel for Respondent No.8: AGP for Public Health (AP)

The Court made the following:

ORDER:

The petitioners, who claim to belong to Scheduled Caste, filed this Writ Petition with the grievance that in the context of e-procurement of tender notice, dated 23.01.2016, respondent Nos.2 to 8 are not granting

exemption to them from payment of Earnest Money Deposit (EMD), as envisaged by G.O.Ms.No.275, Irrigation & CAD (Projects Wing, COD) Department, dated 26.9.1994.

Mr. Ancha Pandu Ranga Rao, learned Standing Counsel for Municipalities (Andhra Pradesh), appearing for respondent No.2, pointed out that if the petitioners belong to Scheduled Caste (SC), they are entitled to exemption from payment of EMD only in respect of the works which are earmarked for S.C. category and that a similar Writ Petition, filed by certain persons with a similar plea, viz., Writ Petition No.7819 of 2015 was disposed of by this Court by order, dated 31.01.2015, with the direction to the respondents therein to consider their cases in the light of G.O.Ms.No.275, dated 26.9.1994, and that a similar direction may be issued to the respondents herein.

Having regard to the above-noted submissions of the learned Standing Counsel, the Writ Petition is disposed of with the direction to respondent Nos.2 to 8 to consider the petitioners' claim for exemption from payment of the EMD relating to the above-mentioned e-procurement works, as per G.O.Ms.No.275, dated 26.9.1994.

As a sequel to disposal of the Writ Petition, W.P.M.P.No.3641 of 2016 shall stand disposed of as infructuous.

*JUSTICE C.V.NAGARJUNA
REDDY*

*01st February, 2016
DR*