

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.40588 OF 2016

ORDER:

The writ petition is filed by the petitioner seeking a writ of mandamus declaring the action of the second respondent in rejecting the tender of the petitioner vide order, dated 15.10.2016, without even considering the reply of the petitioner, dated 27.09.2016, as illegal and arbitrary, and consequently set aside the rejection order, dated 15.10.2016 and direct the second respondent to consider the reply of the petitioner.

Heard and perused the material.

Learned counsel for the petitioner submits that the petitioner is engaged in construction of turnkey projects of clean rooms, bio safe labs, animal house, clinical trial facility etc., for pharmaceutical industries and research organisations. The petitioner submitted its bid in response to the Tender Notification of the second respondent. Subsequently, the petitioner was called for pre-bid meeting and in the said meeting, the petitioner was asked to give power point presentation, but the same was not informed to the petitioner earlier and as such, the petitioner could not do so. Hence, the second respondent rejected the bid of the petitioner. Pursuant to the same, the petitioner sent its reply, but the second respondent rejected the bid of the petitioner without considering its reply and as such, learned counsel prays this Court to set aside the rejection order of the second respondent.

Considering the facts and circumstances of the case, the second respondent is directed to consider and dispose of the representation/reply of the petitioner, dated 27.09.2016 as expeditiously

as possible, preferably within a period of one month from the date of receipt of copy of this order.

The writ petition is accordingly disposed of. Consequently, miscellaneous petitions, if any shall also stand disposed of.

JUSTICE RAJA ELANGO

23.11.2016
pln

