

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.45672 OF 2016

Dated:26.12.2016

Between:

M/s. Kiran Services, D.No.5/1213,
Arts College Road, Proddatur, YSR
Kadapa District, Andhra Pradesh,
Rep., by its Authorized Person,
Namely, J. Bala Narayana Reddy,
S/o.Late J. Ranga Reddy, Aged 61 years,
R/o.1/784-1, Dwaraka Nagar, Kadapa,
YSR Kadapa District

.. Petitioner

And

The State of Andhra Pradesh, rep., by its
Principal Secretary, School Education,
Secretariat Buildings, Hyderabad and others

.. Respondents



The Court made the following:

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ORDER:

Heard. With the consent of learned counsel for the parties, the Writ Petition is being disposed of at the stage of admission.

2. The petitioner is engaged in supply of man power and human resources to various agencies and is avoiding to provide outsourcing services to Andhra Pradesh Model Schools at YSR Kadapa District. The petitioner agency was granted contract in the year 2013 for a period of three years. Earlier, the petitioner filed W.P.No.41711 of 2016 alleging that even though a policy decision was taken by the Government, which is reflected in G.O.Ms.No.54, dated 07.04.2016 read with G.O.Ms.No.151, dated 08.08.2016, which enables grant of extension by one more year, without granting extension, they seek to award the contract to third parties. This Writ Petition is filed challenging the tender notification issued on 16.12.2016 published in the daily newspaper on 17.12.2016.

3. Earlier, this Court, by order dated 08.12.2016 in W.P.M.P.No.51432 of 2016 in W.P.No.41711 of 2016, granted interim direction to the respondents to extend the contract of the petitioner awarded for supply of man power as outsourcing agency to the Model Schools at Kadapa District.

4. The petitioner alleges that in view of the interim orders granted by this Court in the earlier Writ Petition, no such tender

notification ought to have been issued and therefore, the same is illegal.

5. As seen from the tender notification, it does not specify the period of contract. It only calls for application from the interested parties. It is not in dispute that even as per the earlier orders of this Court in W.P.No.41711 of 2016, the petitioner has to ask for extension of contract till 31.07.2017, in writing, subject to fulfilment of conditions prescribed in G.O.Ms.No.151, dated 08.08.2016. Therefore, mere issuance of tender notification does not affect the orders granted in favour of the petitioner. The petitioner may have a grievance only when the tenders are finalised and the contract is awarded to third parties without following the directions issued by this Court. Thus, the cause in the Writ Petition is premature and the Writ Petition is liable to be dismissed.

6. The Writ Petition is accordingly dismissed. However, dismissal of this Writ Petition does not affect the right that accrued to the petitioner in terms of the orders passed in the earlier writ petition. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

P. NAVEEN RAO, J

Date:26.12.2016

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