

THE HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

WRIT PETITION No. 18931 of 2016

ORDER:

Heard learned counsel for the petitioners and learned Standing Counsel for GHMC.

The present Writ Petition is filed with the following prayer:

‘For the reasons stated in the accompanying affidavit, the petitioner herein prays that the Hon’ble Court may be pleased to issue a writ, order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents in respect of the clauses 9, 16, 26 of the tender notification No.06/EE(SWM & Tr.)/GHMC/2016-17, dated 22.04.2016, issued by respondent No.3 is bad in law and illegal, arbitrary and violative of principles of natural justice, without authority of law, and violative of Articles 14, 21 and 300-A of the Constitution of India and consequently direct respondent No.3 not to finalize the tenders as the same were not opened so far and pass such other order or orders as this Hon’ble Court may deem fit and proper in the circumstances of the case.’

Learned counsel for the petitioners mainly submits that there is variation between clauses 7 and 16 of the tender schedule, which causes grave prejudice to the petitioners. The same is disputed by Sri P.Keshava Rao, learned Standing Counsel stating that there is no variation as the petitioners only have to convert the percentage into quantum of amount and then pay it.

At this stage, learned counsel for the petitioners submits that the petitioners made a representation to the Commissioner, GHMC, seeking to conduct full enquiry on the tenders, which according to them is still pending consideration. He further submits that tenders are going to be opened on 21.06.2016 and it will be appropriate if the

representation is considered before the said date.

Having regard to the circumstances stated, the writ petition is disposed of directing respondent No.2– Commissioner, GHMC, to dispose of the representation made by the petitioners, if it is still pending consideration, on or before 20.06.2016.

Miscellaneous petitions, pending if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE C.PRAVEEN KUMAR

16.06.2016,

Note:

Issue CC today.

B/o.

vhb