

**HIGH COURT OF JUDICATURE AT HYDERABAD  
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA  
PRADESH**

TUESDAY, THE SIXTH DAY OF OCTOBER  
TWO THOUSAND AND FIFTEEN

:PRESENT:

**THE HON'BLE SRI JUSTICE A. V. SESA SAI**

WP .NO:20876 of 2015

Between:

Kodali Vara Prasad, S/o Papa Rao

**..... Petitioner**

AND

- 1 The State of Andhra Pradesh rep. by its Principal Secretary, Transport, Roads & Buildings Department, Secretariat Buildings, Hyderabad - 500 022.
- 2 The Commissionerate of Tenders State of Andhra Pradesh 6th Floor, B.R.K.R Bhavan, Hyderabad-500 063.
- 3 The Engineer-in-Chief (R&B) State of Andhra Pradesh Rural Roads, Irrum Manzil, Hyderabad - 500 084.
- 4 The Superintending Engineer R&B Circle, Ongole, Prakasam District.
- 5 M/s Bhavani Constructions Rep. by its Managing Partner Devireddy Pankaj Reddy, H.No.16/3830, Near Vijaya Mahal, Ramurthy Nagar, Nellore – 524001.

**.....Respondents**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein, the High Court may be pleased to issue a Writ, Order or direction more particularly one in the nature of Writ of Mandamus to declare the action of the Respondents 1 to 4 in disqualifying the Petitioner's tender relating to the tender work (Widening and Strengthening of Pedajagarlamudi-Purimetla road from Km 16/8 to 30/0 in Prakasam District) vide NIT No.E-in-C (R&B) Rural Roads/65/NABARD/2015-16, dated 04.05.2015, as illegal, arbitrary, and being in violation of principles of natural justice and fair play and besides being violative of Articles 14 and 19 of constitution of India as well as Bid Documents and G.O.Ms.No.94 I &CAD (PW-COD) Dept., dated 01.07.2003 and catena of precedents of the Hon'ble Supreme Court and this Hon'ble Court, and consequently direct the Respondents to consider the bid of the Petitioner relating to the tender work (widening and strengthening of Pedajagarlamudi-Purimetla Road from Km 16/8 to 30/0 in Prakasam District) vide NIT No.E-in-C (R&B) Rural Roads/65/NABARD/2015-16 vide NIT No.E-in-C (R&B) Rural Roads/65/NABARD/2015-16, dated 04.05.2015, in the interest of justice.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed herein and order of the High Court dated 08.07.2015 & 13-07-2015 made herein and upon hearing the arguments of SRI V. HARI HARAN, Advocate for the Petitioner and of GP for Roads and Buildings for Respondent Nos.1 to 4 and of Sri O. Manohar Reddy, Advocate for Respondent No.5, the Court made the following.

**ORDER:**

**Learned Govt. Pleader states that vacate application has been filed and seeks time.**

**Post the vacate application after Dasara Vacation, 2015.  
Meanwhile the interim order granted on 8-7-2015 shall continue**

**ASSISTANT REGISTRAR**

**//TRUE COPY//**

**For ASSISTANT REGISTRAR**

**To**

- 1. Two CC to GP for R & B (AP), High Court, Hyderabad (OUT)**
- 2. One CC to SRI V. HARI HARAN, Advocate (OPUC)**
- 3. One spare copy.**

**Tvr**

**HIGH COURT**

**AVSSJ**

**ORDER**

**DATED: 06-10-2015**

**WP NO.20876 OF 2015**

**EXTENSION OF INTERIM ORDER**

**Tvr**  
**Dated: 09-10-2015**

**HIGH COURT**

**AVSSJ**

**ORDER**

**DATED: 06-10-2015**

**WP NO.20876 OF 2015**

**EXTENSION OF INTERIM ORDER**