

HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH
(Special Original Jurisdiction)

WEDNESDAY, THE SEVENTEENTH DAY OF JUNE,
TWO THOUSAND AND FIFTEEN

:PRESENT:

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NO:17266 of 2015

Between:

Blue Star Limited, A Company incorporated under the Companies Act, 1913, having its Registered office, Kasturi Building, Mohan T. Advani Chowk, Jamshedji Tata Road, Mumbai – 400020,
Represented by its Authorized Signatory, Mr. Santosh Damodaran

.....
Petitioner

AND

1. State of Andhra Pradesh, Rep. by its Principal Secretary,
Department of Health, Medical and Family Welfare, A.P. Secretariat,
Hyderabad
2. Andhra Pradesh Medical Services & Infrastructure Development Corporation, An Enterprise of Government of A.P., having its office at
3rd and 4th floors, DM&HS Office Campus, Sultan Bazar,
Hyderabad - 500019, Represented by its Managing Director.

.....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 an appropriate Writ, Order or Direction, more particularly one in the nature of a Mandamus: (a) Declaring Respondents' action of issuing Tender Notice No. 8.8 A/APMSIDC/2014-15 dated 26.03.2015 and all consequent actions of Respondents under the said Tender Notice as ultra-vires, illegal, arbitrary and bad in law being violative of principles of natural justice and also violative of Articles 14, 19 and 21 of the Constitution of India and consequently direct the Respondents to issue purchase order to the Petitioner in pursuance of Tender Notice No. 5.9C/APMSIDC/2014-15 dated 06.01.2015.

WPMP.NO. 22373 of 2015:

Petition under Section 151 of C.P.C. Praying that in the circumstances stated in the affidavit filed in the W.P. the High Court may be pleased to grant interim suspension of Tender Notice No. 8.8 A/APMSIDC/2014-15 dated 26.03.2015 issued by the Respondent No. 2, pending disposal of Writ Petition No. 17266 of 2015 on the file of the High Court.

The petition coming on for hearing, upon perusing the petition and the affidavit filed herein and upon hearing the arguments of Sri T. Vijay Kumar Reddy, Advocate for the Petitioner, and the Govt. Pleader for Medical and Family Welfare (AP) for the Respondent No.1, and Sri C. Appaya Sharma, Standing Counsel for AP Medical Services for the Respondent No.2, the Court made the following

ORDER:

“Sri C. Appaya Sharma, learned Standing counsel for the 2nd respondent Corporation, states that the tender process pursuant to the notification dated 26.03.2015 would not be finalized at least for a period of two weeks and undertakes to file his counter within one week.

Post on 24.06.2015 in the motion list.”

//TRUE COPY//

ASSISTANT REGISTRAR

For ASSISTANT REGISTRAR
(Contd. 2.)

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To

1. The Principal Secretary, Department of Health, Medical and Family Welfare, State of Andhra Pradesh, A.P. Secretariat, Hyderabad
2. The Managing Director, Andhra Pradesh Medical Services & Infrastructure Development Corporation, An Enterprise of Government of A.P., having its office at 3rd and 4th floors, DM&HS Office Campus, Sultan Bazar, Hyderabad – 500019
3. Two CCs to the Govt. Pleader for Medical & Family Welfare (AP), High Court at Hyderabad. (BY SPECIAL MESSENGER)
4. One CC to Sri T. Vijay Kumar, Advocate (OPUC)
5. One CC to Sri C. Appaya Sharma, Advocate (OPUC)
6. One spare copy.

BV

HIGH COURT

SK.J

DATED: 17-06-2015

NOTE:

POST ON 24-06-2015

IN THE MOTION LIST

ORDER

W.P. NO.17266 OF 2015

DIRECTION

DRAFTED: BY BV

DATED : 22-06-2015

HIGH COURT

SK.J

DATED: 17-06-2015

NOTE:

POST ON 24-06-2015

IN THE MOTION LIST

ORDER

W.P. NO.17266 OF 2015

DIRECTION