

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.32183 of 2017

ORDER:

Heard Sri V.Ravi Kiran Rao, learned counsel for the petitioner, Sri G.Seena Kumar, learned Standing Counsel for respondent Nos.2 and 3 and learned Government Pleader for Education.

The present writ petition came to be filed seeking the following reliefs:

a) To direct respondent Nos.2 and 3 to consider the online tender submitted by the petitioner firm for executing the work i.e. for construction of additional Infrastructure facilities of MJPAPBCWRS Complex (Mahatma Jyothiba Phule Andhra Pradesh Backward Classes Welfare Residential Schools Complex) at Smhachalam Village, Chinagadili Mandal, Visakhapatnam District in response to the tender IFB Number/ Tender 22/ MD/ APEWIDS/ VJA/ 2017-18, dated 30.05.2017, without taking into consideration of the complaints filed by respondent Nos.4 and 5 herein; and

b) To declare the action of respondent Nos.2 and 3 in not considering the online tender submitted by the petitioner firm for executing the work i.e., for the construction of additional Infrastructure facilities of said complex on the ground that respondent Nos.4 and 5 made complaints making allegations against the petitioner firm is nothing but arbitrary, illegal,

violative of Article 14 of Constitution of India apart from well settled principles of law laid down by this Court.

The apprehension of the petitioner is that the respondents may not consider his tenders on certain technical aspects. Learned Government Pleader would submit that applications are being processed and the writ petition is a premature one.

Learned counsel for the petitioner would submit that when the remarks were called for, the petitioner submitted objections and now requests the respondents to consider the objections. Learned Government Pleader would submit that he has no objection for the same.

In view of the above, the writ petition is disposed of directing respondent No.2 to deal with the explanations/objections, if any, submitted by the petitioner, in accordance with law. There shall be no order as to costs.

As a sequel thereto, Miscellaneous Petitions pending if any in this Writ Petition, shall stand closed.

21.09.2017
vhb

C. PRAVEEN KUMAR, J