

HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

WRIT PETITION No.9535 OF 2009

ORDER:

The relief sought for in this Writ Petition is to declare the action of respondents 2 and 3 in awarding the contract in favour of the 4th respondent, pursuant to the tender notice dated 10.03.2009 relating to transportation of LPG from Bombay and some other places, as arbitrary and illegal. A consequential direction is sought to respondents 2 and 3 to award the contract in favour of the petitioner.

By proceedings dated 10.03.2009, tenders were invited from recognised transport contractors/fleet owning carriers with Tank-trucks of more than 12 MT capacity for transporting LPB by road. By way of an interim order, in WPMP No.12439 of 2009 dated 30.04.2009, the petitioner was directed to file a detailed representation in the shape of objections, within three days; and, if any such representation is made, the same was directed to be examined by respondents 2 and 3; and appropriate orders were directed to be passed as per law before finalising the tenders.

The tender notice dated 10.03.2009, for transportation of LPG by road, was issued more than eight years ago. In view of the interim orders passed by this Court, the respondents were obligated to consider the petitioner's representation. It is not known whether the petitioner submitted a representation. In any event, since there has been no stay, in awarding the work, for the past more than eight years, I see no reason to now examine the validity of the tender notification. The cause in the Writ Petition does not survive, and the Writ Petition has become

infructuous. It is accordingly dismissed. The miscellaneous petitions pending, if any, shall stand closed. No costs.

RAMESH RANGANATHAN, ACJ

Date: 04.08.2017.
MRKR

