

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.20612 OF 2017

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Medical, Health and Family Welfare. With their consent, the Writ Petition is disposed of at the admission stage itself.

2. The present Writ Petition came to be filed seeking issuance of writ of *mandamus*, declaring the action of the respondents in not issuing the allotment order for commencing of DIET supply to the in-patients of the District Hospital Mahabubnagar, Area Hospital, Narayanpet and CHC Badepalli (Jadcherla), as illegal and arbitrary and consequently, direct the respondents to issue the allotment order for commencement of DIET supply to the in-patients of the aforementioned hospitals.

3. The averments in the affidavit filed in support of the writ petition are that the petitioner is a DIET Contractor. Pursuant to the notification, dated 06.05.2017, issued by respondents 2 and 3, inviting tenders for supply of DIET to the inpatients of the aforementioned hospital, the petitioner submitted the tender form by paying the requisite EMD amount; that the tenders were opened on 18.05.2017 in the presence of all the bidders, wherein the petitioner became the successful bidder as he quoted the lowest prices. The same was given in paper notification. In spite of the

same, respondents 2 and 3 have not passed any order in favour of the petitioner with regard to the supply of DIET to the in-patients of aforementioned two hospitals. Though the petitioner approached the respondents, they did not respond and on the other hand, allowing the earlier contractor to continue with the supply the DIET. Hence the present writ petition.

4. Though various grounds are raised in the writ petition, learned counsel for the petitioner restricts his prayer seeking a direction to the respondents to consider the representation, dated 08.06.2017, made by the petitioner, at the earliest.

5. Learned Government Pleader, on instructions submits that the proceedings are pending before the Joint Collector and that appropriate orders would be passed.

6. Having regard to the submissions made, the Writ Petition is disposed of directing the Joint Collector, Mahabubnagar District, to dispose of the representation, dated 08.06.2017, made by the petitioner and pass appropriate orders thereon, as early as possible, within a period of three (03) weeks from today, in accordance with law.

Consequently, Miscellaneous Petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

JUSTICE C. PRAVEEN KUMAR

Date:27.06.2017
INL