

HON'BLE SRI JUSTICE S.V. BHATT

W.P.No.11157 of 2015

ORDER:

Heard Sri T.Ravi Kumar for petitioner and Sri T.Balajaya Sree for respondents.

The petitioner prays for the following relief :-

"..... to issue a Writ, Order or Direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondent/railway in issuing the Notice No: B/W/148/1/9384/WA-C, dt 2.4.2015 i.e. 7 Days Notice to the Petitioner Firm in vide Agt No : 12/Central/BZA/2012, dt 29.06.2012 for the work i.e." SW-I) Vijayawada - Visakhapatnam Section:- Repairs to existing bank by making up of cess and side slopes Km 437/0441/0 and 452/0-455/0 on up & Dn Lines between Gunadala- Mustabada and Gannavaram-Telaprolu Stations in ADEN/EE Sub Division. SW- II) Vijayawada - Visakhapatnam Sections: Repairs to existing bank by making up of cess and side slopes Km 455/0,461/0 and 470/0-472/0 on up & Dn lines between Pada Autapalli -Viravalli & Nuzvid- Valur Stations in ADEN/EE Sub Division after issuing the FCC/IV/845/32, dt 8.9.2014 in favour of the petitioner Firm is illegal , arbitrary and unconstitutional and against the principle of natural justice and offending article 14 and 19(g) of Constitution of India and set aside the same and consequently direct the respondents /railway to release the performance guarantee and EMD in the above said Agt No : 12/Central/BZA/2012, dt 29.06.2012 forthwith.....".

Mr.Ravi Kumar, after trying to persuade this Court for sometime and finding the difficulty, confines his prayer to direct respondents to consider representation dated 05.04.2015 and pass orders.

The statement is placed on record.

The writ petition is disposed of by this order.

(a) The petitioner is given liberty to re-submit representation, dated 05.04.2015 to respondents by enclosing a copy of this order within four weeks from today.

(b) Respondents are directed to consider and dispose of representation, dated 05.04.2015, in accordance with law, within twelve weeks thereafter.

Miscellaneous petitions pending, if any, shall stand closed.

No order as to costs.

Date: 21.12.2017
Prv



S.V.BHATT, J

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21.12.2017

Prv

