

HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN
AND
HON'BLE SRI JUSTICE GUDISEVA SHYAM PRASAD

WRIT APPEAL No.16 OF 2018

ORDER: (per Hon'ble the Acting Chief Justice Ramesh Ranganathan)

This appeal, under Clause 15 of the Letters Patent, is preferred against the ad-interim order passed by the Learned Single Judge in W.P. No.12623 of 2017 dated 10.10.2017. The respondent in the Writ Petition are in appeal before us aggrieved by the interim order whereby the appellant was directed not to issue a work order in favour of the successful bidders, who had allegedly quoted in excess of the estimated value, whereas the petitioner had submitted a discounted tender. While the delay in preferring the appeal is of more than 200 days, the submission of the Learned Government Pleader for Roads and Buildings is that, despite a vacate stay petition being filed on time, the matter has not been taken up; and, for non-compliance of the interim order, the petitioner has filed a Contempt Case.

Smt. R. Annapurna, Learned Counsel for the respondent would contend that the Contempt Case was filed because the appellants had, even after the interim order was passed, issued a work order in favour of a third party. Both Counsel would, however, agree that, instead of this Court adjudicating the appellants claim on merits, it would suffice if both the vacate stay petition and the Contempt Case are directed to be heard together.

As Learned Counsel are in agreement, suffice it to dispose of the Writ Appeal directing that WVMP No.1748 of 2017 be listed along with C.C. No.921 of 2017; and both the vacate stay petition and the Contempt Case be heard together. It is open to the Learned Government Pleader to request the Learned Single Judge to take up the

matter at an early date, as the works under execution have come to a stand still. We have no reason to doubt that, on such a request being made, the Learned Single Judge would give such a request its due consideration.

The Writ Appeal is disposed of accordingly. The miscellaneous petitions pending, if any, shall stand closed. No costs.

RAMESH RANGANATHAN, ACJ

GUDISEVA SHYAM PRASAD, J

Date: 04.11.2018

MRKR

