

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.15010 of 2018

ORDER:

Heard learned counsel for the petitioner and Sri G.Vivekananda, learned Standing Counsel for the respondents.

The case of the petitioner, in the present Writ Petition, is that, though he offered more than the amount, fetched in the auction, the State Finance Corporation is not considering his request. According to the notice, dated 12.04.2018, issued by the State Finance Corporation, any new tenderer, who intends to offer, submits higher offer over and above the existing offer, before the expiry of the date of the said notice, i.e. 18.04.2018, is required to deposit the stipulated amount of EMD as shown in Column No.4 of the table given thereunder plus 15% of the offer amount as indicated. It is also stated therein that the EMD and 15% of offer amount shall be deposited by means of DD/Pay Order drawn in favour of the A.P.State Finance Corporation.

According to the petitioner he submitted representation to the State Finance Corporation on 29.03.2018, enclosing two cheques for a sum of Rs.1,80,00,000/-.

Learned counsel for the State Finance Corporation submits that, as per the notice, dated 12.04.2018, the EMD

and 15% of the offer amount shall be deposited by DD/Pay Order drawn in favour of the A.P.State Finance Corporation and the petitioner herein failed to comply with the said condition, as such, his request cannot be considered.

A reading of the notice, dated 12.04.2018, clearly reveals that the amount indicated therein shall be deposited by means of DD/Pay Order drawn in favour of the A.P.State Finance Corporation. Admittedly, in the present case, along with the representation, the petitioner herein enclosed cheques only and the same is not in accordance with the contents of the above said notice. Therefore, in the considered opinion of this Court, the petitioner is not entitled for any indulgence of this Court.

Accordingly, the Writ Petition is dismissed. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

A.V.SESHA SAI,J

26th April, 2018

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