

**HON'BLE SRI JUSTICE U. DURGA PRASAD RAO**

**Writ Petition No.17929 of 2018**

**ORDER:**

This Writ Petition is filed by the petitioner seeking a Writ of Mandamus declaring the action of the respondents in disqualifying the petitioner relating to Tender e-CTN No.2349(18)/EE(NH&CRF)/DEE3/AE/2016-2017, dated 22.01.2018 for the work of widening and Strengthening of Parchuru-Pedajagarmudi-Purimetla Road from Km.32/2 to 42/6 and construction of HLB at Km.66/4 across Gundlakamma River in Prakasam District, as illegal and arbitrary and consequently to direct the respondents to recall the disqualification orders and open the price bid of the petitioner relating to the aforesaid tender and pass orders thereon.

2. The learned Government Pleader for Roads & Buildings (A.P.) takes notice for respondents 1 to 4 and submit that in case of any grievance relating to disqualification, the petitioner can make representation to the 4<sup>th</sup> respondent, who is the Commissioner of Tenders, to pass necessary orders. In this regard, he relied upon the order in W.P.No.29778 of 2017, wherein, under similar circumstances, the petitioner therein was given liberty to raise his objections before the 4<sup>th</sup> respondent therein, i.e., the Commissioner of Tenders.

3. As the petitioner's complaint is that he was unduly disqualified on unsustainable grounds, the petitioner is given liberty to raise his objections before the 4<sup>th</sup> respondent herein within a period of one (01) week from the date of receipt of a copy of this order, in which case, the 4<sup>th</sup> respondent shall consider the same and pass appropriate orders thereon, in accordance with law, after giving an opportunity to all the stake-holders, within a period of two (02) weeks thereafter. Till the aforesaid process is

completed, *status quo* is to be maintained, so far as the subject tender is concerned.

4. The Writ Petition is disposed of accordingly. There shall be no order as to costs.

As a sequel, miscellaneous applications pending, if any, shall stand closed.

---

**U. DURGA PRASAD RAO, J**

Date: 17.05.2018

**Note:** Office to issue CC by 21.05.2018.

(b/o)  
Bvv

