

HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.5041 of 2017

ORDER:

Heard Mr.Y.Venkatasatyam for petitioner, the learned Assistant Government Pleader for Revenue and Smt.K.Lalitha, learned Standing Counsel for TTD.

The petitioner challenges proceedings Roc.No.Rev.2/ 15750/ AEO(Rev)/ TPT/2016 dated 07.02.2017 granting licence to a room opposite to OPD block, BIRRD(T) Hospital, Tirupati, for sale of medicines and surgical consumables as illegal, arbitrary and unconstitutional.

The 2nd respondent issued Tender Notice Roc.No.Rev.2/ 15750/ AEO(Rev)/ TPT/2016. Through the proceedings impugned in the writ petition, the licence has been granted in favour of 4th respondent.

The petitioner challenges the award in favour of 4th respondent as not conforming to the tender conditions.

On 15.02.2017, this Court granted interim order.

Respondents 2 and 3 filed counter and a petition to vacate the interim order dated 15.02.2017.

The Standing Counsel, on instructions, submits that the justification offered in the counter affidavit need not be considered by this Court inasmuch a decision in principle is taken

to recall Tender Notice Roc.No.Rev.2/15750/AEO(Rev)/TPT/2016.

Since a decision is taken to withdraw Notice Roc.No.Rev.2/15750/AEO(Rev)/TPT/2016, the award in favour of 4th respondent need not be considered by this Court.

The statement is placed on record and accepted.

By leaving it open to respondents to issue fresh tender notice, the writ petition is disposed of accordingly. No order as to costs.

Miscellaneous petitions, if any, pending, shall stand closed.

Date:30-04-2018
Prv



S. V. BHATT, J

