

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.26899 OF 2017

ORDER:

This writ petition is filed seeking following relief:-

“ ... to issue a writ or order more particularly one in the nature of Writ of Mandamus declaring the condition regarding enclosing of document at Serial No.8 under 'Document Details' mentioned on page-3 of e-procurement Tender Notification bearing IFB No.NIT No.11273-1/CE (R&B) MDR/EE(TEC)/DEES/AEE2/2017, dated 28.07.2017, issued by respondent No.2 for improvements of carriageway to the Nellore-Kodur Road from kilometre 0/0 to 6/4 in SPSR Nellore District, insofar as the tenderer is required to “own batch type hot mix plant of 100-to-120 TPH within 100 kilometers distance from the work site” and shall obtain and upload a certificate signed by the concerned Executive Engineer certifying that the tenderer is having batch type hot mix plant of 100-to-120 TPH and its location along with route-map” as being unreasonable, arbitrary and unconstitutional, and consequently to direct the respondents to receive the tender-bid submitted by the petitioner; and be pleased to pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

When the matter was taken up for consideration on 11.08.2017, this Court passed an interim order permitting the petitioner to participate in the tender and in view of the same, pursuant to the notification issued on 28.07.2017, further proceedings in the tender might have undertaken. In view of the same, the writ petition has become infructuous and nothing survives for adjudication in the writ petition.

The writ petition is accordingly dismissed as infructuous. Consequently, miscellaneous petitions, if any pending, in the writ petition shall stand closed.

A.RAMALINGESWARA RAO, J

25.04.2018
pln