

HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

WRIT PETITON No.22468 of 2011

ORDER:

The relief, sought for in this Writ Petition, is to declare the action of the respondent-Karimnagar Municipal Corporation, in issuing the procurement notification dated 29.07.2011 calling for works to be done within the limits of Karimnagar Municipal Corporation contrary to G.O.Ms. No.20 dated 06.07.2004, as arbitrary and illegal.

By G.O.Ms. No.20 dated 06.07.2004, the Government directed all Departments, Public Sector Undertakings and Local Bodies to procure works, at an estimated cost of Rs.10 lakhs and above, through e-Procurement from 01.07.2004. The subject works, for which the e-Procurement notice was issued, are all said to be far below Rs.10 lakhs; and, consequently, no such e-Procurement notice was required to be issued in terms of G.O.Ms. No.20 dated 06.07.2004. By order, in W.P.M.P. No.27417 of 2011 dated 19.08.2011, the notification dated 29.07.2011 was stayed by this Court. More than six years have since elapsed. It is not known as to what transpired thereafter, or whether G.O.Ms. No.20 dated 06.07.2004 continues to remain in force.

Suffice it, therefore, to dispose of the Writ Petition directing that it may not be necessary for the respondents to resort to e-Procurement if G.O.Ms. No.20 dated 06.07.2004 is still in force, and in case procurement is for a value below Rs.10 lakhs. It is made clear that this order shall not disable the respondents from resorting to any other mode of procurement, or resort to e-procurement after seeking approval of the Government, if G.O.Ms. No.20 dated 06.07.2004 still continues to remain in force.

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

RAMESH RANGANATHAN, ACJ

Date: 13.04.2018

MRKR

