

HONOURABLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION NO: 41759 OF 2018

ORDER :

This writ petition is filed invoking the inherent jurisdiction of this Court under Article 226 of the Constitution of India, seeking a writ of mandamus to declare the action of respondents 2 and 3 without disclosing any information regarding the tender dated 03/08/2018 for lease of premises for the State Bank of India, Bangarupalyam Branch at Bangarupalyam, Chittoor district, Andhra Pradesh going to declare one of the selected candidate of the fourth respondent as 'successful bidder' by violating the tender notification terms and conditions as illegal, arbitrary, unconstitutional, violative of Article 14, 16 and 21 of the Constitution of India and consequently to direct the respondents 1 and 2 to cancel the tender notification dated 03/08/2018 for lease of premises for State Bank of India, Bangarupalyam Branch, Bangarupalyam, Chittoor district, Andhra Pradesh and to pass such other suitable orders as this Court may deem fit and proper in the circumstances of the case.

2. Heard Sri Ch. Vidya Sagar, learned counsel for the petitioner and Sri B. Prasad, learned Standing Counsel for the respondents 1 to 4.

3. In response to a notice of requirement of premises, inviting offers by the respondent-bank, the petitioner along with two others made their offers. According to the learned counsel for the petitioner, one Smt. G. Usha Rani does not comply with the clause No. 16 of the terms and conditions of the said notification. It is also submitted by the learned counsel for the petitioner that the same is brought to the notice of the second respondent by way of a representation dated 06/10/2018. It is further submitted by the learned counsel for the petitioner that despite bringing to the notice of the second respondent with regard to gross violations and deviations, without considering the representation of the petitioner, the respondent-authorities are proceeding with the process of finalizing the tender.

4. Taking into consideration the nature of controversy and as the representation dated 06/10/2018 according to the learned counsel for the petitioner, is pending consideration before the second respondent, this Court deems it appropriate to dispose of this writ petition with a direction to the second respondent to verify the same, take appropriate action/pass appropriate orders in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

5. With the above direction, this writ petition is disposed of.
No costs.

6. As a sequel, miscellaneous petitions if any, pending in this writ petition shall stand closed.

JUSTICE A.V. SETHA SAI.



20/11/2018
I s L

NB: Furnish CC tomorrow

HONOURABLE SRI JUSTICE A.V. SESA SAI

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(RESULT : DISPOSED OF)



Circulation No. 3 4 5
Court Master : I s L
Date: 20-11-2018