

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.42952 OF 2018

ORDER:

The present writ petition came to be filed seeking to declare the action of the respondents 4 and 5 in interfering with the constructions of Foot Over Bridge (for short, "the FOB") of the petitioner granted by the 3rd respondent and approved structural drawings and designs dated 13.3.2018, at Forum Sujana Mall, Kukatpally, Hyderabad, as illegal and arbitrary.

The averments made in the affidavit filed in support of the writ petition, would show that the 2nd respondent has issued the tender notification on 5.10.2016, for construction of Foot Over Bridges at various locations of Hyderabad City under Public and Private Partnership mode, on commercial format. After evaluating the bids received by the 2nd respondent in response to the tender notification and RFP dated 5.10.2016, the petitioner was found to be the successful bidder as he quoted the lowest authorization amount for the development of modern Foot Over Bridge with all the specifications mentioned in the RFP dated 5.10.2016. After allotting the tender and after fulfilling the tender conditions, an agreement was entered into between the petitioner and the 3rd respondent on 26.10.2017. Now the grievance of the petitioner is that the respondents are interfering with the constructions of the petitioner without any valid reasons and trying to obstruct the FOB work of the petitioner.

On the other hand, Sri L. Venkateswara Rao, learned Standing counsel for the G.H.M.C denies interference of the respondents with the FOB construction made by the petitioner. He further submits that a request was made by the respondent-authorities to the petitioner to restrict the length of display of advertisements to an extent of 800 sq.

feet. He submits that it is only a request and there is no interference with the construction of FOB work of the petitioner.

In view of the submission made by the learned Standing Counsel for the respondent-Corporation, the writ petition is disposed of directing the respondents 4 to 5 not to interfere with the Foot Over Bridge (FOB) activities of the petitioner, without following the procedure established under law. No order as to costs.

As a sequel to disposal of the writ petition, WP.M.Ps if any pending shall stand closed.

C. PRAVEEN KUMAR, J

Dated:17.12.2018.

Gk



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