

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Monday, the Twenty Fourth day of June Two Thousand Nineteen

PRESENT

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

WMP Nos.16990 & 16991 of 2019

in WP No.14206 of 2019

THE BID MANAGER [PETITIONER IN BOTH THE PETITIONS]
SR. MANAGER(ENGG- CIVIL),
AIRPORTS AUTHORITY OF INDIA,
CHENNAI AIRPORT DESK,
O/O. ED ENGG-SR, CHQ RAJIV GANDHI BHAWAN,
SAFDARJUNG AIRPORT, NEW DELHI 110 003.

Vs

M/S.EXCEL ENGINEERING ENTERPRISES [RESPONDENT IN BOTH THE
REP.BY ITS PROPRIETOR, MR.KUMARESAN, PETITIONS]
B.E.MBA, NO.1-D, FIRST FLOOR,
GEE GEE MINAR, 23, COLLEGE ROAD,
NUNGAMBAKKAM, CHENNAI-34

Petitions praying that in these circumstances stated therein and in the respective affidavits filed therewith the High Court will be pleased to

(1)Vacate the Interim Order of Injunction dated 17.05.2019 and made in WMP No. 14259 of 2019 in WP No. 14206 of 2019, (in WMP.16990/2019) and

(2)Vacate the Interim Order of Injunction dated 17.05.2019 and made in WMP No. 14260 of 2019 in WP No. 14206 of 2019, (in WMP.16991/2019) respectively pending WP NO.14206 OF 2019.

Order :These petitions coming on for orders upon perusing the petitions and the respective affidavits filed in support thereof and upon hearing the arguments of MR.FATHER XAVIER ARULRAJ SENIOR COUNSEL for ARULMARY A., Advocate for the petitioner in both the petitions and of MR.M.SATHISH KUMAR Advocate on behalf of the Respondent in both the petitions the court made the following order:-

The Petitioner has moved this Writ Petition during the Vacation Sitting of this Court on 09.05.2019 and notice was ordered to the Respondents by 15.05.2019.

2. When the matter was taken up on the next Vacation Sitting on 17.05.2019, after appearance of the Respondent, they were granted time to file Counter by 10.06.2019 and it was ordered that till then, the third cover relating to the financial bid need not be opened.

3. The Respondent has filed Counter Affidavit along with applications to vacate aforesaid interim order dated 17.05.2019. The Learned Senior Counsel appearing for the Petitioner has submitted that the impugned tender was published on 12.03.2019 and the technical bids (received in first cover and second cover) had been scheduled to be opened on 30.04.2019 and the price bid was to be opened on 16.05.2019, but the Petitioner is not even a participant in the impugned tender. In such circumstances, it is highly inequitable and unjustified to stay the opening of the price bid (third cover) at the instance of the Petitioner and hence, the interim order passed on 17.05.2019 is vacated forthwith.

4. Resultantly, W.M.P. Nos. 14259 and 14260 of 2019 are dismissed and W.M.P. Nos. 16990 and 16991 of 2019 are ordered.

-sd/-
24/06/2019

/ TRUE COPY /

Sub Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE BID MANAGER
SR.MANAGER (ENGG-CIVIL), AIRPORTS AUTHORITY
OF INDIA, CHENNAI AIRPORT DEST, O/O ED ENGG-
SR, CHQ RAJIV GANDHI BHAWAN, SAFDARJUND
AIRPORT, NEW DELHI -03.

C.C. to ARULMARY A. Advocate SR.NO. 7887

Order

in
WMP.16990 & 16991/2019

in
WP.14206/2019

Date :24/06/2019

From 26.2.2001 the Registry is issuing certified
copies of the Interim Orders in this format
VS 28.06.2019 (I.T)



WEB COPY