

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 26.09.2019
CORAM
THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU
W.P. No. 27781 of 2019
and
W.M.P. Nos. 27315, 27317 and 27320 of 2019

M/s. Jamino Polymertech Pvt. Ltd.,
Represented by its Authorized Signatory,
R. Krishnan,
Having its registered office at
D-2304, Loyyed Estate,
Wadala Heights CHS Ltd.,
Wadala (East),
Mumbai - 400 037.

... Petitioner

-vs-

Bharat Heavy Electricals Limited,
(A Government of India Undertaking)
Represented by its General Manager (Materials Management),
Boiler Auxiliaries Plant,
Indira Gandhi Industrial Complex,
Ranipet-632 406.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the show cause notice dated 10.09.2019 and subsequent fresh tender Notification vide No: 3890746E dated 10.09.2019 issued by the Respondent, as illegal, arbitrary and devoid of merit, quash the same and consequentially direct the Respondents to act in accordance with the original tender conditions dated 13.07.2019.

For Petitioner : Mr.Karthikeyan Anbazhagan

For Respondents: Mr. A.V. Arun

O R D E R

During the earlier hearing on 19.09.2019, it was represented by the Learned Counsel for the parties that the parties have agreed to the following terms and conditions:-

"1. The Petitioner accepts the purchases order bearing No.3891835 dated 09.08.2019 issued by the Respondent by their mail dated 123.08.2019 unconditionally.

2. On the above undertaking given by the Petitioner the Respondent agrees not to proceed with Tender Opening Process on 20.09.2019.

3. The Petitioner further agrees to execute the CEBG before the end of working hours of 25.09.2019.

4. On the above terms the parties agreed to abide, in case of non submission of the above CEBG the respondent is free to process the tender subsequently".

The matter was posted today for reporting further action taken by the parties in accordance with the aforesaid terms.

2. When the matter is taken up today, it is informed by the Learned Counsel for the parties that the parties have fully acted in accordance with the aforesaid terms of settlement arrived between them. In view of the same, Learned Counsel for the Petitioner seeks permission of this Court to withdraw the Writ Petition and he has made an endorsement to that effect, which is recorded.

3. Accordingly, the Writ Petition is dismissed as withdrawn. Consequently, the connected Miscellaneous Petitions are closed. No costs

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To

The General Manager (Materials Management),
Bharat Heavy Electricals Limited,
(A Government of India Undertaking)
Boiler Auxiliaries Plant,
Indira Gandhi Industrial Complex,
Ranipet - 632 406.

W.P. No. 27781 of 2019

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