

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13/8/2020

C O R A M

THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

O.A.No.8 of 2015
and
A.Nos.78 to 80 of 2015

Rail One Projects Pvt Ltd
 rep. By its Managing Director
 Mr.K.Kotti Reddy
 Having Office at H.No.8-2-268/V/21
 Vivekananda Enclave
 Road No.3 Banjara Hills
 Hyderabad 500 034.

Applicant in all the
 cases

Vs

1. The Chief Administrative Officer
 Constructions, Southern Railway
 Chennai 600 008.

2. The Chief Engineer
 Constructions, Southern Railway
 Chennai 600 008.

First and second
 respondents in all the cases

3. The Financial Adviser &
 Chief Accounts Officer
 Constructions, Southern Railway
 Chennai 600 008.

Third respondent in
 O.A.No.8 of 2015

4. The Chief Manager
 Bank of Maharashtra
 Sultan Bazaar
 4-3-379, I Floor
 Hyderabad

Fourth respondent in
 O.A.No.8 of 2015

Applications filed under XIV Rule 8 of Original Side Rules, 1956 r/w. Order 39 Rule 1 and 2 of CPC, Section 9 (2) (C) of the Arbitration and Conciliation Act, 1996.

For applicant ... Mr.P.Subba Reddy

For respondents ... Mr.P.T.Ramkumar

COMMON ORDER

O.A.No.8 of 2015 has been filed to pass an order of injunction against the respondents restraining them from inviting fresh tender for item No.2 of Tender Notice 15/CE/CN/MS/2013 (OT) dated 20/6/2013.

2. Application No.78 of 2015 has been filed to set aside the termination order Nos.W.148/MT/37/CN, 15/CE/CN/MS/2013 (OT) dated 21/11/2014, 20/6/2013 passed by the second respondent in relation to item No.2 of Tender Notice 15/CE/CN/MS/2013 (OT) dated 20/6/2013.

3. Application No.79 of 2015 has been filed to declare that the petitioner alone is entitled for the contract for item No.2 of Tender Notice 15/CE/CN/MS/2013 (OT) dated 20/6/2013 as the petitioner has

passed by the second respondent in relation to item No.2 of Tender Notice 15/CE/CN/MS/2013 (OT) dated 20/6/2013.

4. Application No.80 of 2015 has been filed to direct the respondents to accept the Performance Guarantee No.0001914BG0000261 dated 13/11/2014 for Rs.67,95,133/- given by the petitioner and award the contract within the specified time for item No.2 of Tender Notice 15/CE/CN/MS/2013 (OT) dated 20/6/2013 to enable the petitioner to carry out the contract work in the interest of the petitioner, respondents and also to the general public.

5. Today, when the matters are taken up for consideration, through Video Conferencing, Mr.P.Subba Reddy, learned counsel appearing for the applicant submitted that the matters have become infructuous.

6. In view of the submission made by the learned counsel appearing for the applicant, O.A.No.8 of 2015 and A.Nos.78 to 80 of 2015 are closed as infructuous.

Sd/.N.S.K.J.
13.08.2020

//Certified to be a true copy//

Dated this the day of 2020.

S.U./25.08.2020

COURT OFFICER(O.S.)