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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 04.01.2022

CORAM

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P.No.24082 of 2017
and W.M.P.No.25399 of 2017

V.Venkata Siva Kumar,
Chartered Accountant
No.10/11 Dr.Subbarayan Nagar,
Main road Kodambakkam,
Chennai - 600 024.

... Petitioner in person

Vs.

- 1.Bank of Baroda
represented by Mr.P.S.Jaya Kumar
The Chairman & Managing Director
Head Office, Suraj Plaza 1, Sayaji Ganj,
Baroda 390005.
- 2.Audit Committee
Represented by its Chairman
Baroda Corporate Centre,
Plot No.C-26, Block G, Bandra Kurla Complex,
Bandra (East), Mumbai 400 051.
- 3.Institute of Chartered Accountants of India
represented by the Secretary,
ICAI Bhawan, Indraprastha Marg,
Post Box - 7100, New Delhi - 110002.
- 4.G.Balu and Associates,
represented by Mr.CA Ravishankar,
No.4A, Venkatesa Agraharam,
1st floor, B-Block, Mlapore,
Chennai - 600 004.

... Respondents

PRAYER : Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of declaration that the request for proposal dated 30.06.2016 [http://WWW.bankofbaroda.com/TenderFile/Final-Concurrent-Audit-RFP.Ref: RFP:CIAD:108/4](http://WWW.bankofbaroda.com/TenderFile/Final-Concurrent-Audit-RFP.Ref:RFP:CIAD:108/4) pdf dated 30.06.2016 issued by the respondents 1 & 2 is ultra virus Null and void violating the terms and conditions laid down and further issue any other direction in the nature of writ to the respondents 1 and 2 to



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issue a new RFP effective from 1st April 2016.

For Petitioner	:	No appearance
For R1	:	Mr.Edward Jamesh
For R2	:	Notice sent service awaited
For R3	:	Mr.P.R.Ranganath
For R4	:	Mr.Vignesh Sekar For M/s.Prasad Vijaya Kumar

O R D E R

When the matter is taken up for hearing today, none appeared for the petitioner.

2. The learned counsel appearing for the respondents submitted that the reference for proposal was issued by the respondents 1 and 2 on 30.06.2016. The same was challenged by the petitioner stating that the reference proposal is ultra vires and violating the terms and conditions. However, the learned counsel for the respondents submitted that by virtue of the RFP, the first and respondent / Bank have appointed the Concurrent Auditors. Therefore, the prayer in this writ petition will become infructuous.

3. In view of the submissions made by the learned counsel for the respondents, the prayer in this writ petition will become infructuous and that may be the reason, the petitioner has not appeared before this Court to represent their case.

4. Accordingly, the writ petition stands dismissed for non-prosecution. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-IX)

//True copy//

Sub Assistant Registrar

Pns



To

1. P.S. Jaya Kumar,
The Chairman & Managing Director,
Bank of Baroda
Head Office, Suraj Plaza 1, Sayaji Ganj,
Baroda 390005.
2. The Chairman, Audit Committee,
Baroda Corporate Centre,
Plot No.C-26, Block G, Bandra Kurla Complex,
Bandra (East), Mumbai 400 051.
3. The Secretary,
Institute of Chartered Accountants of India
ICAI Bhawan, Indraprastha Marg,
Post Box - 7100, New Delhi - 110002.

W.P.No.24082 of 2017

PCH(CO)
GMY(04/03/2022)