

**HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
(Special Original Jurisdiction)**

**TUESDAY, THE TWENTY FIRST DAY OF NOVEMBER
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE NAGESH BHEEMAPAKA

WRIT PETITION NO: 14270 OF 2012

Between:

M/s. Nair Coal Services Ltd., Having its Registered Office at 166 Syria Bhavan, Ramnagar, Nagpur, Maharashtra, Rep. by its Senior Regional Manager, Sri Krishna Kumar.

...PETITIONER

AND

1. The A.P. Genco, Rep. by its Chairman and Managing Director, Vidyuth Soudha, Khairatabad, Hyderabad.
2. The Superintendent Engineer/Coal & Fuel Oils, A.P.Genco, III Floor, A Block, Vidhyuth Soudha, Khairatabad, Hyderabad.
3. M/s. AKA Logistics Private Limited, (Formerly Cisc-Essar Eng - Consortium Pvt. Ltd., Circular Court, 9th Floor, Block No. 92, 8, A.J.C., Bose Road, Kolkata - 17.
4. M/s. Karam Chand Thapar (CS) Bros. Ltd., Regd. Office at Thapar House, 25B Brabourne Road, Kolkata, West Bengal, rep. by its Cheif General Manager Mr. Vikram Kapoor

(R4 is impleaded as per C.O. dt. 3-10-2012 in WPMP 35505 of 2012)

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ, Order or direction more in the nature of a Writ of Mandamus declaring that the 3rd Respondent is not eligible to be considered for awarding the work in pursuance of the notification E-procurement T.SPN.No.E-09/CEG-III/SE(C&FO) E-51/09/2011-12 issued by the 1st and 2nd Respondents and accordingly interdict the Respondents 1st and 2nd from considering the bid of Respondent No.3.

I.A. NO: 3 OF 2012(WPMP. NO: 18044 OF 2012)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay of all further proceedings including entrustment of work to 3rd Respondent in pursuance of the tender E-procurement T.SPN.No.E-09/CEG-III/SE(C&FO) E-51/09/2011-12, pending disposal of the above Writ Petition.

Counsel for the Petitioner: SRI K.G.K.PRASAD (NOT PRESENT)

Counsel for the Respondent No.1 & 2: M/s. K.UDAYA SRI, SC FOR TSGENCO

Counsel for the Respondent No.3: M/s. SHARAD SANGHI

Counsel for the Respondent No.4: SRI S.VIVEK CHANDRA SEKHAR

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE NAGESH BHEEMAPAKA

WRIT PETITION NO.14270 OF 2012

ORDER:

There is no representation on behalf of petitioner when the case is called.

2. Learned counsel for respondent Nos.1 and 2 brings to the notice of this Court that cause in the writ petition does not survive for adjudication any more.

3. Recording the said submission, the present writ petition is dismissed as infructuous. No costs.

4. Miscellaneous petitions, if any, pending in this Writ Petition, shall stand closed.

**SD/-MOHD. ISMAIL
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to SRI K.G.K.PRASAD, Advocate [OPUC]
2. One CC to M/s. K.UDAYA SRI, SC FOR TSGENCO [OPUC]
3. One CC to M/s. SHARAD SANGHI, Advocate [OPUC]
4. One CC to SRI S.VIVEK CHANDRA SEKHAR, Advocate [OPUC]
5. Two CD Copies

BSR
GJP

§

HIGH COURT

DATED: 21/11/2023



ORDER

WP.No.14270 of 2012

DISMISSING THE WRIT PETITION
AS INFRUCTUOUS,
WITHOUT COSTS

(7) Copies
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6/12/23