



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3328]

**TUESDAY, THE TWELFTH DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE**

PRESENT

**THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA
PRASAD**

WRIT PETITION NO: 21168/2025

Between:

1.SIVA SAI CONSTRUCTIONS, KUTAGULLA, KADIRI REP. BY ITS PROPRIETOR, K.V.SAIPRANEETH REDDY, S/O.K.V.RAMESH REDDY, AGED ABOUT 40 YEARS, HAVING ITS OFFICE ATKUTUGAULLA VILLAGE, KUTAGULLA, KADIRI MANDAL, SATYA SAI DISTRICT.

...PETITIONER

AND

1.THE UNION OF INDIA, REP., BY ITS DIRECTOR GENERAL (ROAD DEVELOPMENT) AND SPECIAL SECRETARY, MINISTRY OF ROAD TRANSPORT AND HIGHWAYS, TRANSPORT BHAWAN, PARLIAMENT STREET, NEW DELHI.

2.THE STATE OF ANDHRA PRADESH, REP., BY ITS PRINCIPAL SECRETARY, ROADS AND BUILDINGS DEPARTMENT SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATI.

3.THE ENGINEERINCHIEF, ROADS AND BUILDINGS, NATIONAL HIGHWAYS AND CRF HAVING OFFICE AT STATE HOD OFFICES BUILDING, MG ROAD, VIJAYAWADA.

4.THE REGIONAL OFFICER, MINISTRY OF ROAD TRANSPORT AND HIGHWAYS, 4TH FLOOR, NEAR KANAKA DURGA VARADHI, RANI GARI THOTA, KRISHNA LANKA, VIJAYAWADA.

5.THE SUPERINTENDING ENGINEER R B, NH CIRCLE,

ANANTHAPURAMU, OPPOSITE TO MEDICAL COLLEGE, SAI NAGAR, ANANTHAPURAMU.

6. THE EXECUTIVE ENGINEER R B, NH DIVISION, ANANTHAPURAMU, OPPOSITE TO ZILLA PARISHAD OFFICE, NEAR GEETHA MANDIR, ANANTHAPURAMU.

...RESPONDENT(S):

Counsel for the Petitioner:

1. B. ABHAY SIDDHANTH MOOTHA

Counsel for the Respondent(S):

1. GP FOR ROADS BUILDINGS

The Court made the following:

ORAL ORDER:

Heard Sri B. Abhay Siddhanth Mootha, learned Counsel for the Writ Petitioner and Sri Y. Balaji, learned Government Pleader for Roads & Buildings.

2. Sri B. Abhay Siddhanth Mootha, learned Counsel for the Writ Petitioner, has drawn the attention of this Court to the Impugned Proceedings dated 06.08.2025. He would submit that the Superintending Engineer (Respondent No.5) is not the competent authority for cancellation of the present Tender. He has also drawn the attention of this Court to the cancellation corrigendum and the Notice Inviting the Bid at page 32. He would submit that, as per Clause 30.1 of the Tender Conditions, the Employer alone reserves the right to cancel the bidding process apart from other rights.

3. Sri Balaji, learned Government Pleader for Roads and Buildings, on instructions, submits that the Impugned Proceedings dated 06.08.2025 (Ex.P.1) is only a recommendation made by the Superintending Engineer (R&B), which has been communicated to the Engineer-in-Chief (R&B) NH & CRF (Respondent No.3). He would submit that the contents of the said document (Ex.P.1) would itself indicate that the Superintending Engineer

(R&B) has merely communicated the opinion of the Ministry as well as the draft of the cancellation corrigendum, thereby leaving it open to the Engineer-in-Chief to take a final call. He would submit that the present Writ Petition is, therefore, premature inasmuch as the Engineer-in-Chief alone is empowered to take a decision in accordance with Clause 30.1 of the Tender Conditions in the capacity of Employer.

4. Having considered these submissions, this Court is of the opinion that the Employer, namely, the Engineer-in-Chief (R&B) NH & CRF (Respondent No.3) is required to take the necessary decision in accordance with law, and therefore, the present Writ Petition is premature in nature.

5. Accordingly, the Writ Petition is disposed of. No order as to costs.

6. At this stage, Sri B. Abhay Siddhanth Mootha, learned Counsel for the Writ Petitioner has stated that these Proceedings have been initiated after the Official Respondents, in fact, opened the financial bid and that if the present Tender is cancelled for any reason, the requirement of confidentiality may be breached.

7. Having considered this submission, this Court finds it reasonable. The Respondents are directed to maintain the confidentiality of the record, particularly with regard to the financial bids which have already been opened. In other words, the Official Respondents shall not disclose the contents of the financial bid of any bidder to anyone else.

8. Interlocutory Applications, if any, stand closed in terms of this order.

GANNAMANENIRAMAKRISHNA PRASAD, J

Dt: 12.08.2025

DSV

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HON'BLE SRI JUSTICE GANNAMANENI RAMAKRISHNA PRASAD

WRIT PETITION NO: 21168/2025

12.08.2025

DSV

HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI**MAIN CASE No. WRIT PETITION NO: 21168/2025****PROCEEDING SHEET**

Sl. No	DATE	ORDER	Office Note
02.	12.08.2025	<u>GRKP, J</u> Writ Petition is disposed of. (vide separate order) _____ GRKP, J DSV	