



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

THURSDAY, THE SEVENTH DAY OF MARCH
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE NINALA JAYASURYA
WRIT PETITION NO: 33352 OF 2023

Between:

M/s Deccan Electricals Pvt. Ltd., Having its registered office at 301 Apurupa PCH, 8-2-293A/A1, Road No.2 Banjara Hills, Hyderabad-500034 Represented by its Managing Director Ml. Narendra Agarwal.

AND

Petitioner

1. The State of Andhra Pradesh, Represented by its Principal Secretary, Department of Energy, Secretariat, Velagapudi, Guntur District.
2. Andhra Pradesh Southern Power Distribution Company Limited, Having its office at 9-13-65/A Srinivasapuram, Tiruchanoor Road, Tirupati - 517 503 Represented by its CMD
3. The Chief General Manager (P and MM), Andhra Pradesh Southern Power Distribution Company Limited, 9-13-65/A, Srinivasapuram, Tiruchanoor Road, Tirupati - 517 503

Respondents

Petition under Article 226 of the Constitution of India is filed praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to grant a writ, order or direction more particularly on in the nature of a Writ of Mandamus declaring the action of the respondents in wrong fully and strategically removing the Pre-requisite qualification clause in the tender document thereby favouring a particular tenderer, the action of which is illegal, arbitrary and in violation of Articles 14 and 21 of the Constitution of India and consequently direct the respondents to strictly adhere to the pre requisite qualification notified vide clause No.8.1 in Tender Notice No. 1/2.3-24, dated 02-05-2023.

IA NO: 1 OF 2023

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the respondents to stay all further proceedings in relation to Tender Notice No. 1/23-24 dated 02-05-2023 calling for tenders relating to supply of 20,000 nos. of 33KV Polymer PIN Insulators with GI PIN on e-procurement basis issued by the 2nd respondent, including opening financial bids, conducting further negotiations and award of the tender to the other tender, issuance of letter of Acceptance, execution of the agreements etc., pending disposal of W.P.No.33352 of 2023, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the order of the High Court dated 28.12.2023 and upon hearing the arguments of M/s.Indus Law Firm Advocate for the Petitioner, GP for Energy for Respondent No.1 and Sri.V.r.Reddy Kovvuri, Standing Counsel for Respondent Nos.2 & 3, the Court made the following.

ORDER:

“Counters of the contesting respondents are yet to be filed.

List the matter on 26.03.2024.

Interim order granted on the earlier occasion is extended by eight (08) weeks.”

//TRUE COPY//

For A:

Sd/- U. SRI DEVI
A ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The Principal Secretary, Department of Energy, State of Andhra Pradesh, Secretariat, Velagapudi, Guntur District.
2. The Chairman & Managing Director, Andhra Pradesh Southern Power Distribution Company Limited, Having its office at 9-13-65/A Srinivasapuram, Tiruchanoor Road, Tirupati - 517 503.
3. The Chief General Manager (P & MM), Andhra Pradesh Southern Power Distribution Company Limited, 9-13-65/A, Srinivasapuram, Tiruchanoor Road, Tirupati - 517 503 (1 to 3 by RPAD)
4. One CC to M/s.Indus Law Firm Advocate [OPUC]
5. Two CCs to GP for Energy, High Court of Andhra Pradesh. [OUT]
6. One CC to Sri.V.R.Reddy Kovvuri, Standing Counsel (OPUC)
7. The Section officer, Posting Section, High court of A.P
8. One spare copy

HIGH COURT

NJSJ

DATED:07.03.2024

NOTE: LIST ON 28.03.2024

ORDER

WP.No.33352 of 2023

EXTENSION OF INTERIM ORDER

