

HIGH COURT FOR THE STATE OF TELANGANA : HYDERABAD

MAIN CASE No: W.P.No.10787 of 2026

PROCEEDING SHEET

SL. NO	DATE	ORDER	OFFICE NOTE
	06.05.2026	<u>JAK, J</u> <u>Review I.A.No.2 of 2026</u> This application is filed with the following prayer: “... to allow the review petition by setting aside the order of the Hon’ble High Court in W.P.No.10787 of 2026 dated 20.04.2026 and pass ...” It is trite law that a review is not an appeal in disguise, any efforts by the counsel for review petitioner to make submissions on the merits of the case or re-appreciation of the case facts are not tenable. Before venturing any further, it is trite to extract Order XLVII Rule 1 of C.P.C. “1. Application for review of judgment.—(1) Any person considering himself aggrieved— (a) by a decree or order from which an appeal is allowed, but from which no appeal has been preferred, (b) by a decree or order from which no appeal is allowed, or (c) by a decision on a reference from a Court of Small Causes, and who, from the discovery of new and important matter or evidence which, after the exercise of due diligence was not within his knowledge or could not be produced by him at the time when the decree was passed or order made, or on account of some mistake or error apparent on the face of the record or for any other sufficient reason, desires to obtain a review of the decree passed or order made against him, may apply for a review of judgment to the Court which passed the	

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		decree or made the order. (2) A party who is not appealing from a decree or order may apply for a review of judgment notwithstanding the pendency of an appeal by some other party except where the ground of such appeal is common to the applicant and the appellant, or when, being respondent, he can present to the Appellate Court the case on which he applied for the review. [Explanation.—The fact that the decision on a question of law on which the judgment of the Court is based has been reversed or modified by the subsequent decision of a superior Court in any other case, shall not be a ground for the review of such judgment.] A letter, dated 27.04.2026, addressed to Chairman, PMU and Secretary, TGSWREIS, issued by Vice Chairman & Managing Director (VC & MD) of TGSCO/TSCO is pressed into service. Following are the contents of the letter: “I Invite your attention to the references cited. In the reference 2nd cited, the Chairman, PMU and Secretary, TGSWREIS, Masab Tank, Govt. of Telangana has placed the Indent for supply of Uniform Cloth and Bedding Material with a request to supply by 31st May 2026. With reference to your letter 4th cited, we submit herewith the variety-wise quantities of 72.75 lakh meters of Uniform Cloth and 8.53 lakh pieces of Bedding Material for the academic year 2026-27, in the prescribed proformas, that can be supplied by 31st May'2026, as requested by the Chairman, PMU. Certificate: Further, it is to certify that the balance quantities for the academic year 2026-27 i.e., 176.71 lakh Mtrs of Uniform Cloth and 20.84 lakh Pieces of Bedding Material is not available from TGSCO by 31.05.2026, since the PMU indent is received on 22.04.2026 and TGSCO requires at least 2 to 4 months time to arrange to produce through Primary Handloom Weavers Cooperative Societies (PHWCS) and Powerloom MACSS & SSI Units In the State.	

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		Hence it is requested to confirm the indent and release 50% of the amount as advance so as enable the TGSCO for supply of cloth by 31.05.2026. I request early orders in the matter.” It is submitted by the learned Special Government Pleader that in the light of the contents of letter, the order of the Court can be implemented partially. It is further submitted that to undertake a fresh tender process and to meet the deadline before reopening of the schools in the 2nd week of June, 2026, would not be feasible. It is submitted by the Special Government Pleader appearing on behalf of review petitioner that at Paragraph No.8 of the order, dated 20.04.2026, it is recorded that a contention was raised before the Court at the time of hearing that cooperative societies were able to meet with 25-30% of the total requirement of the cloth material/item through TGSCO (TSCO). It is further pointed out that the submission of 25-30% was not dealt with. It is further submitted that the State authorities have no grievance in respect of the judgment/order rendered (on G.O.Ms.No.1, dated 11.03.2024). That the State authorities would abide by the judgment rendered. It is pointed out that the Hon’ble High Court	

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		considered G.O.Ms.No.1 in a broader and holistic perspective, for which the review petitioner is not aggrieved. It is pointed out that for the present academic year 2026-27, the total requirement of the cloth materials/items have to be made available before the academic year 2026-27 for the schools begin in 2nd week of June. That this aspect needs consideration in the light of the fact that remaining cloth materials/items have to be procured from other agencies within time to meet the urgent requirement. Learned Special Government Pleader has placed on record a table showing the requirement of the cloth materials/items, which have to be procured from other agencies. The table is as follows: <table><tr><td></td><td>Uniform Cloth</td><td>Bedding</td></tr><tr><td>Total</td><td>72.75 + 176.71=249.46 Lakh Metres</td><td>8.53+20.84=29.37 Lakh Pieces</td></tr><tr><td>TGSCO</td><td>72.75 Lakh Metres</td><td>8.53 Lakh Pieces</td></tr><tr><td>Remaining</td><td>176.7 Lakh Metres</td><td>20.84 Lakh Pieces</td></tr></table> This Court has perused the letter dated 27.04.2026, and queried the counsel, whether the review petition would fall within the scope of Order XLVII Rule 1 of C.P.C., if the contents of the letter dated 27.04.2026 are taken on record as grounds.		Uniform Cloth	Bedding	Total	72.75 + 176.71=249.46 Lakh Metres	8.53+20.84=29.37 Lakh Pieces	TGSCO	72.75 Lakh Metres	8.53 Lakh Pieces	Remaining	176.7 Lakh Metres	20.84 Lakh Pieces	
	Uniform Cloth	Bedding													
Total	72.75 + 176.71=249.46 Lakh Metres	8.53+20.84=29.37 Lakh Pieces													
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		The grievance, as submitted, appears to be with regard to the aspect of procurement of rest of the cloth materials/items as indicated in the table through the tender floated on 02.04.2026. It is submitted by the counsel for review petitioner that this aspect assumes significance in the light of the fact that the academic year for school children begins in the 2nd week of June, 2026 and any delay would affect the children in attending the schools and also in admitting the children in hostels for lack of bedding material. It is also pointed out that if TSCO is unable to meet the requirement, it would be imperative on the part of State authorities to procure the materials/items from other agencies before the academic year begins. <i>“It is lastly submitted that review of the order dated 20.04.2026 is being sought only to the extent of procurement of Uniform Cloth/Bedding material from other agencies by continuing the tender notification issued on 02.04.2026.”</i> <i>“For the benefit of school going children for academic year 2026-27 only”.</i> On the other hand, learned counsel for respondents submitted that letter, dated	

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		27.04.2026, is a letter subsequent to the order of the Court and same cannot be considered for reviewing the order and that respondent-society, through TGSCO, would be able to supply the total requirement for the academic year 2026-27, if time is granted. It is also submitted that three (3) months of time is being granted for the agencies to supply the material, that if the same time is granted to TGSCO/TSCO, the cooperative societies would be able to supply the entire material. That no grounds are made out for a review under Order XLVII Rule 1 of C.P.C., and the review petition be dismissed. Having perused the material on record, this Court requested the Special Government Pleader that VC & MD of Telangana State Handloom Weavers Co-operative Society Ltd., be present online. The officer is present online, this Court queried the VC & MD of TGSCO/TSCO, whether cooperative societies are able to meet the total requirement for supply of cloth materials/items sought. It is stated by the officer that cooperative societies through TSCO are unable to meet the requirement due to paucity of time. It is further	

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		stated that to meet the total requirement, indent needs to be placed much in advance to meet the deadlines. When queried as to what would be the appropriate time required in number of weeks to meet the total requirement, it is stated by the officer that 20 weeks would be suffice. In other words, if only indents were placed 20 weeks in advance, TGSCO/TSCO would have been able to fulfill the requirement before the academic year began i.e., 2nd week of June, 2026-27. The data placed on record is as follows: <table><tr><td></td><td>Uniform Cloth</td><td>Bedding</td></tr><tr><td>Total</td><td>72.75 + 176.71 = 249.46 Lakh Meters</td><td>8.53+20.84=29.37 Lakh Pieces</td></tr><tr><td>TGSCO</td><td>72.75 lakh Meters</td><td>8.53 Lakh Pieces</td></tr><tr><td>Remaining</td><td>176.71 Lakh Meters</td><td>20.84 Lakh Pieces</td></tr></table> It is apparent from the contents of the table that the TGSCO/TSCO is able to supply the following material, this fact is not disputed. The material made available through TGSCO/TSCO is as below: <table><tr><td>TGSCO</td><td>72.75 lakh Meters</td><td>8.53 Lakh Pieces</td></tr></table> It is not disputed that indent is not placed before 20 weeks, fact remains TGSCO/TSCO		Uniform Cloth	Bedding	Total	72.75 + 176.71 = 249.46 Lakh Meters	8.53+20.84=29.37 Lakh Pieces	TGSCO	72.75 lakh Meters	8.53 Lakh Pieces	Remaining	176.71 Lakh Meters	20.84 Lakh Pieces	TGSCO	72.75 lakh Meters	8.53 Lakh Pieces	
	Uniform Cloth	Bedding																
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		was unable to meet the total requirement before the deadline, requirement of 20 weeks of time was not given. In the facts and circumstances of the case, contentions advanced for reviewing the extent continuing the tender notification over and above 25-30% of work entrusted to TGSCO recorded in paragraph No.8 of the order is a ground for review to the limited extent. A few aspects were not brought to the notice of this Court. Due diligence requires that instructions have to be sought from officers manning the administration in the areas concerned and should be placed before the Court to arrive at a proper conclusion. Requirement of 20 weeks was never brought to the notice of this Court, it was under the impression that sufficient time was given to meet to fulfill the requirement of supplying cloth materials/items in time, which appears to be incorrect. It is only after the interaction with VC & MD of TGSCO, it came to the notice of this Court that a period of 20 weeks is necessary to fulfill the requirement and was not met with.	

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		The contentions advanced placing reliance on the contents of letter dated 27.04.2026 cannot be a ground for entertaining the review petition. Much water has flown, cancellation of indent was on 31.03.2026, tender was floated on 02.04.2026, tender floated was set aside on 20.04.2026, review is filed on 05.05.2026. Prayer is to a limited extent, to the extent of continuation of the tender for procuring the remaining materials/items. It is in these circumstances, the review is being considered on the aspect of 25-30% as pleaded. Requirement of dresses and bedding material for school going children is an important aspect, and if ignored, has far reaching impact. This Court is conscious of this aspect and considers it worthwhile for reviewing the order to the limited extent. It cannot ignore the fact that any delay would cause inconvenience to the school going children, the right of the children to attend schools cannot be delayed. The review petition is allowed to the extent indicated below and shall not be a precedent for future years.	

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		<i>“The extent of materials/items as shown below</i> <table><tr><td></td><td>Uniform Cloth</td><td>Bedding</td></tr><tr><td>Remaining</td><td>176.71 Lakh Meters</td><td>20.84 Lakh Pieces</td></tr></table> <i>shall be procured from other agencies for the academic year 2026-27 only. The tender floated on 02.04.2026 stands continued for the requirement shown above in the table. It is made clear that this review/modification is to the extent indicated and not applicable to future years and other departments of the State Government.</i> <i>The order stands modified to the extent indicated.”</i> Quality of the materials/items so procured shall be standard in nature and durable. It is the responsibility of Project Management Unit (PMU) to thoroughly check the quality of the materials/items and only then approval be granted. The order, dated 20.04.2026 in W.P.No.10787 of 2026, needs no interference any further. It was lastly submitted by the Special Government Pleader that from the next academic year 2027-28, the order of learned Single Judge, dated 20.04.2026, shall be		Uniform Cloth	Bedding	Remaining	176.71 Lakh Meters	20.84 Lakh Pieces	
	Uniform Cloth	Bedding							
Remaining	176.71 Lakh Meters	20.84 Lakh Pieces							

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		implemented, without fail by taking steps in advance in placing the indents with regard to the materials/items pertaining to school going children, at an early date. Before parting with the review petition, as the context and the subject matter of the review petition requires (in view of the facts in the present review), this Court deems it appropriate to add a few lines, to be strictly adhered to by all the departments. Henceforth, all the departments of the State Government shall bear in mind that indents should be placed much in advance (20 weeks in advance, as in the present case). This aspect of placing the indents well in advance cannot be ignored by any of the departments of the State. It is advisable that the departments seek the time period for delivery of the material to be procured from the TGSCO/ TSCO well in advance. If ample time is not given to TGSCO/TSCO, as in the present case, the purport of G.O., Ms.No.1, dated 11.03.2024, stands defeated and would pave way for procurement from other agencies, wherein mischief cannot be ruled out. Such mischief cannot be permitted or allowed, if	

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		permitted/allowed, it would defeat the objective to promote and sustain the handloom industry providing livelihood security to the weavers by giving continuous employment as reflected in the G.O. plp/KH JAK, J	

