

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

TUESDAY, THE TWENTY SIXTH DAY OF NOVEMBER
TWO THOUSAND AND NINETEEN

**:PRESENT:
THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY**

WRIT PETITION NO: 25168 OF 2019

Between:

M/s. SVSS Projects Consultancy Services, Rep. by its proprietor R. Ramanjaneya Sharma Uma Venkata Seeta, S/o. R. Adinarayana, R/o. 8-242, Venkat Nagar, Huzur Nagar Mandal, Suryapet District.

...Petitioner

AND

1. The State of Telangana, Rep. by Principal Secretary, Municipal Administration, Secretariat Buildings, Hyderabad.
2. The Kodad Municipality, Rep. by its Commissioner, Kodad, Suryapet District.
3. The Municipal Commissioner, Municipal Council, Kodad, Suryapet District.
4. The District Collector, Suryapet District.
5. The Revenue Divisional Officer, Kodad Division, Suryapet District.

....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 writ, order or direction more particularly writ of mandamus, to declare the rejection order in Letter No. E1/703/2019 dt. 21-11-2019 as being arbitrary, illegal and unconstitutional and consequently direct the respondent to issue work order in favour of the petitioner Firm pursuant to the tender Notification dt. 20-09-2019.

IA NO: 1 OF 2019 :

Petition under Section 151 of CPC, praying that in the circumstances stated in the affidavit filed in Writ Petition, the High Court may be pleased to direct the respondents not to issue work order in favour of the 3rd parties other than the Petitioner Firm as the petitioner being the lowest bidder pursuant to the tender notice vide No.F/1152/2019-20, dated 20-09-2019, pending disposal of the WP.No.25168 of 2019, on the file of the High Court.

IA NO: 2 OF 2019:

Petition under Section 151 of CPC, praying that in the circumstances stated in the affidavit filed in Writ Petition, the High Court may be pleased to direct the respondents to issue work order in favour of the Petitioner Firm pursuant to the tender notice vide No.F/1152/2019-20, dated 20-09-2019, pending disposal of the WP.No.25168 of 2019, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed herein, and the order of the High Court dated 21-11-2019 made herein, and upon hearing the arguments of M/s. K.Hemalatha Advocate for the Petitioner and GP for Municipal Administration, for Respondent No.1 and Sri N.Praveen Kumar, standing counsel for respondents 2 & 3 and GP for Revenue, for Respondents 4&5, the Court made the following.

ORDER:

“Learned counsel for the petitioner submits that rejection of petitioner’s tender is without any basis; that as per the tender conditions, petitioner is not required to file Income-tax returns. He further submits that though the petitioner has submitted all

necessary documents, the respondents rejected the tender of the petitioner on the vague ground alleging that related documents are not submitted by the petitioner.

Learned Standing Counsel for respondents 2 and 3 submits that petitioner's tender was rejected as the tender conditions were not complied by the petitioner.

A reading of the rejection order dt. 25.11.2019 goes to show that the petitioner's tender was rejected on the ground that petitioner failed to file IT Returns. But, a perusal of the tender conditions goes to show that filing of IT return is not one of the tender conditions.

On the other hand learned Counsel for petitioner filed some proceedings wherein petitioner is shown as L1 and his case is recommended for acceptance.

In view of the above, there shall be stay of all further proceedings for a period of two weeks.

Post after two weeks for counter in Motion List."

**SD/- K.SAILESHI
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To

1. The Principal Secretary, Municipal Administration, State of Telagnana, Secretariat Buildings, Hyderabad.
2. The Commissioner, The Kodad Municipality, Kodad, Suryapet District.
3. The Municipal Commissioner, Municipal Council, Kodad, Suryapet District.
4. The District Collector, Suryapet District.
5. The Revenue Divisional Officer, Kodad Division, Suryapet District. (RR-1 to 5 by RPAD)
6. Two CCs to GP for Municipal Admn, High Court of Judicature at Hyderabad. [OUT]
7. Two CCs to GP for Revenue, High Court of Judicature at Hyderabad. [OUT]
8. One CC to M/S.K.Hemalatha, Advocate [OPUC]
9. One spare copy

HIGH COURT

ARR,J

DATE: 26-11-2019

ORDER

WP. NO. 25168 OF 2019

STAY

