

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

**TUESDAY, THE SECOND DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SHRI JUSTICE ANIL KUMAR JUKANTI

WRIT PETITION NO: 639 OF 2017

Between:

M/s. R. R. Infra Works Private Limited, A registered Company under the Companies Act, 1956 represented by its Managing Director P. Rakesh Reddy S/o P. Prabhakar Reddy Having its registered office at 301-A, Fortune Nest Opp. Jan Heritage High School, Maszid Banda Kondapur, Hyderabad- 500 084.

...PETITIONER

AND

1. State of Telangana, Rep. by its Principal Secretary, Irrigation Department Secretariat Hyderabad
2. Commissioner of Tenders, Commissionerate of Tenders, Chintal Basti Hyderabad
3. Commissioner, Godavari Basin Jalasoudha Building, Ground Floor Erramanzil, Hyderabad
4. Superintending Engineer, I and CAD Department, Irrigation Circle Nizamabad

...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 writ of mandamus declaring inaction of the Respondents more particularly Respondent No.2 to 4 in opening the Technical Bid of the Petitioner-Company for the Work Major Irrigation - Nizamabad District Nizamsagar Project- Moderization of Nizamsagar Project Canals and Distributaries including CM and CD works of D-69, 72, 73 and 74 of Nizamsagar Project including CM and CD works, CNS Treatment in Bed and Sides of Canal in Expansive soils and strengthening of Banks including cement concrete lining and repairs of structures pursuant to the tender

notification dated NIT NO. 10/2016-2017 dated 30-08-2016 and seeking to award the contract work to the successful tenderer despite pendency of the representations of the Petitioner - Company dated 29-09-2016, 18-10-2016, 03-11-2016 and 29-12-2016, as illegal, arbitrary and contrary to the provisions of Article 14, 19 of Constitution of India and consequently direct the Respondents more particularly Respondent No. 2 to 4 to include the Petitioner-Company in the tender process and evaluate the Technical and Price Bids submitted by the Petitioner-Company along with other tenderers and consequently award the contracts for execution of work to the successful tenderer.

I.A. NO: 1 OF 2017(WPMP. NO: 708 OF 2017)

Petition under Section 151 CPC 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 consider and dispose off the representations dated 29-09-2016, 29-12-2016 submitted by the Petitioner-Company by assigning sufficient reasons, pending disposal of the above writ petition.

Counsel for the Petitioner: MS. PREETHI PAWAR FOR SRI V. HARI HARAN

**Counsel for the Respondents: MS. SWATHI
AGP FOR IRRI AND COMM AREA DEV**

The Court made the following: ORDER

HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
THE HON'BLE SHRI JUSTICE ANIL KUMAR JUKANTI
WRIT PETITION No.639 OF 2017

DATE OF ORDER 02.12.2025

Between:

1. M/s. R.R.Infra Works Private Limited
A registered Company under the Companies
Act, 1956 represented by its Managing Director
P. Rakesh Reddy S/o. P.Prabhakar Reddy.

... petitioner

And

1. State of Telangana Rep.
By its Principal Secretary, Irrigation Department
Secretariat, Hyderabad, and 3 others.

...respondents

ORDER:

This writ petition is filed with the following prayer:

“...to issue a writ, order or direction more in the nature of writ of mandamus declaring inaction of the Respondents more particularly Respondent No.2 to 4 in opening the Technical Bid of the Petitioner-Company for the Work Major Irrigation-Nizamabad District-Nizamsagar Project- Moderization of Nizamsagar Project Canals and Distributaries including CM and CD works of D-69, 72, 73 and 74 of Nizamsagar Project including CM and CD works, CNS Treatment in Bed and Sides of Canal in Expansive soils and strengthening of Banks including cement concrete lining and repairs of structures pursuant to the tender notification dated NIT NO. 10/2016-2017 dated 30-08-2016 and seeking to award the contract work to the successful tenderer despite pendency of the representations of the Petitioner-Company dated 29-09-2016, 18-10-2016, 03-11-2016 and 29-12-2016 as illegal, arbitrary and contrary to the provisions of

Article 14, 19 of Constitution of India and consequently direct the Respondents more particularly Respondent No.2 to 4 to include the Petitioner-Company in the tender process and evaluate the Technical and Price Bids submitted by the Petitioner-Company along with other tenderers and consequently award the contracts for execution of work to the successful tenderer and to pass ...”

2. Heard Ms. Preethi Pawar, learned counsel for petitioner and Ms. Swathi, learned Assistant Government Pleader for Irrigation for respondents.
3. Learned counsel for petitioner has submitted across the Bar that no instructions are forthcoming from petitioner.
4. Learned counsel for respondents has placed written instructions received from the office of Executive Engineer, I&CADD., Irrigation Division No.3, Armoor, on record. The following are the contents of written instructions:

“I am here by submitting that as per records, the work pertaining to WP NO.639/2017 Major Irrigation-Nizamabad Dist - Nizamsagar Project-Modernisation of Nizamsagar Project canals and Distributories including CM&CD D-69, 72,73 and 74 of Nizamsagar project including CM&CD works is physically completed on 19-11-2018. The Experience certificate indicating the work completion date issued to the Agency is enclosed for your perusal and further necessary action please.”
5. On a perusal of documents on record, it appears that petitioner's grievance is that, though he is eligible for the

bid, it was rejected, he was disqualified on the ground that Bank Gurantees or additional Bank Gurantees submitted by petitioner-Company from its banker do not qualify as credit facilities for the purposes of tender.

6. Be that as it may, as the work pertaining to Major Irrigation i.e., Nizamsagar Project-Modernisation of Nizamsagar Project canals and Distributories, was completed on 19.11.2018, this Court is of the considered opinion that no further adjudication is necessary in this writ petition, as the very work has been completed.

7. With the above observations, Writ Petition is closed.

No costs.

Miscellaneous applications pending, if any, shall stand closed.

//TRUE COPY//

Sd/-L.VIJAYA LAXMI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. One CC to Sri V. Hari Haran Advocate [OPUC]
2. Two CCs to GP for Irrigation and Command Area Development, High Court for the State of Telangana, at Hyderabad [OUT]
3. Two CD Copies

T J
PMK

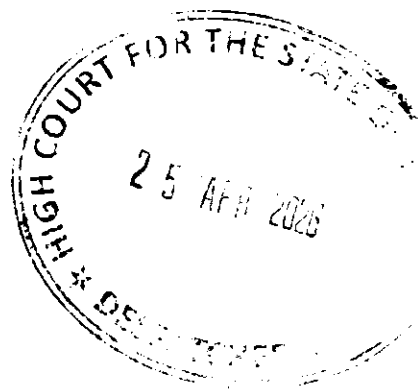


HIGH COURT

DATED:02/12/2025

ORDER

WP.No.639 of 2017



**CLOSING THE WRIT PETITION
WITHOUT COSTS**

⑥ NT
23/3/26