

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

**MAIN CASE No.: W.P. No.36244 of 2025**

**PROCEEDING SHEET**

| SL. NO. | DATE       | ORDER                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | OFFICE NOTE                                         |
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|         | 22.06.2026 | <p><b><u>SN, J</u></b></p> <p>Heard Sri Lalith Jogi, learned counsel appearing on behalf of the petitioners and Sri V.Ravi Kiran Rao, learned senior designated counsel representing Sri S.Surender Reddy, learned counsel appearing on behalf of the respondent No.3 on record.</p> <p style="text-align: center;"><b><u>The petitioners approached the Court seeking prayer as under:-</u></b></p> <p>".....to an appropriate writ, order or direction, more particularly a Writ of Mandamus, to set aside the tender award and start the evaluation afresh strictly in compliance of the eligibility criteria and also declaring the action of Respondent Nos.1 and 2 in considering the bids of Respondent Nos. 3 and 4 without proper scrutiny of mandatory eligibility conditions as illegal, arbitrary and violative of Article 14 of the Constitution, and consequently direct Respondent Nos. 1 and 2 to conduct the eligibility evaluation strictly in accordance with the tender notification dated 20-08-2025 and Corrigendum, and to declare Respondent Nos. 3 and 4 as ineligible and disqualify from participation and may begin afresh...."</p> <p style="text-align: center;"><b><u>Learned senior designated counsel appearing on behalf of the respondent no.3 mainly puts-forth the following submissions:-</u></b></p> <p>i) The respondent No.2 finalized the subject tender on 25.11.2025 and declared the 3<sup>rd</sup> respondent as a successful bidder through online</p> | Transferred to IO folder before corrections, if any |

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|  |  | <p>on 25.11.2025 itself.</p> <p>ii) The respondent NO.2 issued purchased order, dated 29.11.2025 in favour of the 3<sup>rd</sup> respondent.</p> <p>iii) The respondent NO.2 entered into agreement with the respondent No.3 on 15.12.2025 in pursuance to the purchase order and as per agreement entered into between the 2<sup>nd</sup> respondent and 3<sup>rd</sup> respondent, the respondent executed the subject work and already supplied the equipment as indicated in the subject tender. Hence, no cause survives for adjudication any more.</p> <p><b><u>Based on the aforesaid submissions, learned senior designated counsel appearing on behalf of the respondent No.3 contends that the cause in the present writ petition does not survive for adjudication any more.</u></b></p> <p><b><u>The Division Bench of the Patna High Court in Civil Writ Jurisdiction Case No. 14030 of 2025 dated 24.09.2025, dealt with an identical issue and observed as under:-</u></b></p> <p><b>The law is well settled that writ jurisdiction under Article 226 is primarily preventive and not curative in matters relating to tenders. Where the tender process has already reached its <u>logical</u></b></p> |  |
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|  |  | <p><b><u>conclusion and contractual rights have crystallized, Courts have consistently exercised restraint in entertaining belated challenges. It is by now trite law that once the tender process has culminated into a concluded contract, ordinarily no writ would lie to annul the same, except in cases where the action of the State or its instrumentalities is shown to be vitiated by mala fides, arbitrariness, or violation of statutory/constitutional provisions.</u></b></p> <p>List on 23.06.2026 under the caption <b><u>"FOR ORDERS"</u></b>.</p> <p style="text-align: right;">_____<br/>SN,J</p> <p>ktm</p> |  |
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