

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).11279/2013

(From the judgement and order dated 01/03/2013 in WA No.51/2013 of The  
HIGH COURT OF KERALA AT ERNAKULAM)

M.M. VARGHESE & ANR.

Petitioner(s)

VERSUS

KERALA WATER AUTHORITY & ORS

Respondent(s)

(With appln(s) for permission to file additional documents and prayer for  
interim relief and office report) (For final disposal)

Date: 26/11/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE GYAN SUDHA MISRA  
HON'BLE MR. JUSTICE PINAKI CHANDRA GHOSE

For Petitioner(s) Mr. Hari Kumar G., Adv.  
Mr. A.Venayagam Balan, Adv.

For Respondent(s) Mr. M.T. George, Adv.

UPON hearing counsel the Court made the following  
O R D E R

Heard counsel for the parties.

Learned counsel representing the respondents submitted that the period of contract in which the petitioners alleged that they had been wrongly disqualified is already over as the term for executing the work under the contract has already expired and a new letter has to be issued inviting fresh tender for conducting the works contract.

Counsel for the petitioners submitted that in the new tender, the petitioners may be allowed to participate and their eligibility and competence will be considered along with the other applicants.

Since the term of contract has already expired it would serve no purpose now to consider the plea of the petitioners challenging the grant of earlier contract whose term has already expired.

We, therefore, dispose of this special leave petition by permitting the petitioners to participate in the new tender for which notice is sought to be issued by the respondents and if the petitioners participate in the bid, their eligibility shall be considered as per the terms and conditions of the tender but in no case they shall be disqualified due to the reasons on account of which they had been disqualified in the earlier bidding process.

(NAVEEN KUMAR)  
COURT MASTER

(S.S.R. KRISHNA)  
COURT MASTER