

IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI
(Special Original Jurisdiction)

THURSDAY ,THE TWENTY EIGHTH DAY OF MARCH
TWO THOUSAND AND TWENTY FOUR

PRESENT



THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO: 7048 OF 2024

Between:

M/s. A1 Facility and Property Managers Pvt. Ltd., Regd. Office at., Plot No. AG-3, 3rd Floor, Cama Industrial Estate, Near HUB, Goregaon, Mumbai - 400063. Rep by its Authorized Signatory, Mettapalli Dayakar Rao, S/o Krishnarao, 2-52, Aged 34 yrs, Venkatapuram, G. Konduru, Krishna, A.P., 521230.

...Petitioner

AND

1. The State of Andhra Pradesh,, Rep by its Director, Medical Education, Old Govt. General Hospital campus, Hunumanpet, Vijayawada.
2. Andhra Pradesh Medical Services and Infrastructure Development Corporation (APMSIDC), Rep by its Managing Director, Department of Health, Medical and Family Welfare, Government of Andhra Pradesh.
3. The District Collector and Magistrate,, Tirupati District.
4. The SVRR Government General Hospital (RUIA), Rep by its Superintendent, Tirupati, Andhra Pradesh.

...Respondents

Petition under Article 226 of the Constitution of India is filed praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate writ or order or direction, more particularly one in the nature of writ of Mandamus, declaring the action of the Respondents, more particularly Respondent no. 4 Hospital, in issuing the Tender Notification vide Rc.No. 702/G2/2023, dt. 14.03.2024

during the subsistence of Services Agreement dt.01.06.2021 with Petitioner herein till 31-05-2024 as illegal, arbitrary, unjust and violative of Art. 14, 21 and 300A of the Constitution of India, apart from being violative of principles of natural justice and consequently to set aside the Tender Notification vide Rc.No. 702/G2/2023, dt. 14.03.2024 besides further directing the Respondent No.4 to continue the Petitioner herein till 31-05-2024 as per Services Agreement dt 01.06.2021 and pass such other order or orders as this Hon'ble Court may deem fit and proper in the interests of Justice.

IA NO: 2 OF 2024

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the Respondents to stay all further proceedings emanating from the tender notification vide Rc.No. 702/G2/2023, dt. 14.03.2024 and pass such other order or orders as this Hon'ble Court may deem fit and proper in the interests of justice.

IA NO: 1 OF 2024

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the Respondent authorities not to take any coercive steps against the Petitioner herein for the subsisting work pursuant Services Agreement dt.01.06.2021 and pass such other order or orders as this Hon'ble Court may deem fit and proper in the interests of justice.

Counsel for the Petitioner : SRI. JAVVAJI SARATH CHANDRA

Counsel for the Respondents no's 1 & 4: GP FOR MED HEALTH AND FAMILY WELFARE

Counsel for the Respondents no.2: SRI VENKATA REDDY CHITTEM

Counsel for the Respondents no.3: GP FOR REVENUE

The Court made the following: ORDER

APHC010137522024



IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)

[3329]

THURSDAY, THE TWENTY EIGHTH DAY OF MARCH
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO: 7048/2024

Between:

M/s. A1 Facility And Property Managers Pvt. Ltd,

...PETITIONER

AND

The State Of Andhra Pradesh and Others

...RESPONDENT(S)

Counsel for the Petitioner:

1. JAVVAJI SARATH CHANDRA

Counsel for the Respondent(S):

1. GP FOR MED HEALTH AND FAMILY WELFARE
2. VENKATA REDDY CHITTEM (SC FOR APMSIDC)

The Court made the following:

ORDER:

1. The present Writ Petition is filed under Article 226 of the Constitution of India, seeking the following relief:

“... to issue a writ, order or direction, one more particularly in the nature of a “Writ of Mandamus” declaring the action of the Respondents more particularly Respondent No.4 Hospital, in issuing the Tender Notification vide Rc.No.702/G2/2023, dated 14.03.2024 during the subsistence of Services Agreement dated 01.06.2021 with Petitioner herein till 31.05.2024 as illegal, arbitrary, unjust and violative of Article 14, 21 and 300A of the Constitution of India, apart from being violative of principles of natural justice

and consequently to set aside the Tender Notification vide Rc.No.702/G2/2023, dated 14.03.2024 besides further directing the Respondent No.4 in as per services Agreement dated 01.06.2021 and pass such other order or orders...”

2. Heard learned counsel for the petitioner and learned counsel for the Respondents.
3. Learned counsel for the petitioner submits that the Respondents have issued Tender Notification dated 14.03.2024 during the subsistence of Services Agreement dated 01.06.2021 with the petitioner herein till 31.05.2024 which is contrary to the terms of G.O.Ms.No.94.
4. On the other hand, learned counsel for the Respondents furnished written instructions issued by Respondent No.4 /the SVRR Government General Hospital (RUIA), dated 28.03.2023, wherein it is stated that the Respondent No.4 has issued tender notification vide Rc.No.702/G2/2023, dated 14.03.2024 inviting sealed tenders from the manpower agencies for providing sanitation services at SVRR GGH, Tirupati, SVMC, Tirupati and Sri Padmavathamma Government College of Nursing, Tirupati as a unit for a period of two months from 01.04.2024 to 31.05.2024 as a stop gap arrangement, in place of the petitioner, as the Government is going for fresh tenders from 01.06.2024. Due to technical and administrative reasons, the Respondent No.4 is withdrawing the Tender Notification issued vide Rc.No.702/G2/2023, dated 14.03.2024.
5. In view of the categorical statement made by Respondent No.4 that the Authority is withdrawing the tender notification dated 14.03.2024, the cause

in the present Writ Petition does not survive and no further adjudication is necessary in the present Writ Petition.

6. Recording the said submission, Writ Petition is closed. There shall be no order as to costs.

7. As a sequel, miscellaneous petitions, if any, pending shall stand closed.

**Sd/- K L PAVANI
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to SRI. JAWVAJI SARATH CHANDRA Advocate [OPUC]
2. One CC to SRI VENKATA REDDY CHITTEM, Advocate [OPUC]
3. Two CCs to GP FOR REVENUE, High Court Of Andhra Pradesh.
[OUT]
4. Two CCs to GP FOR MED HEALTH AND FAMILY WELFARE, High
Court Of Andhra Pradesh. [OUT]
5. Three CD Copies

MPK_WRC

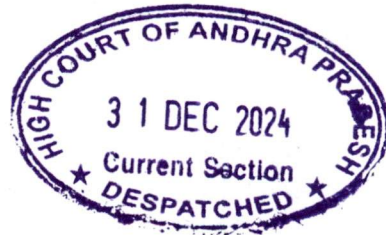
PRK

HIGH COURT

DATED:28/03/2024

ORDER

WP.No.7048 of 2024



CLOSING THE W.P. WITHOUT COSTS