

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

TUESDAY, THE EIGHTH DAY OF JUNE
TWO THOUSAND AND NINE

PRESENT
THE HON'BLE MS JUSTICE G.ROHINI
WRIT PETITION NO : 14471 of 2007

Between:

N/s SATish Traders rep. by its Proprietor Mr.G.V.N.Seshu,
S/o.Chandrarao,
D.No.65-1-37/A2, Srinivasa Nagar, Opp: Sriharipuram Market Road,
Visakhapatnam - 530 011.

..... PETITIONER

AND

- 1 Andhra University, rep. by its Registrar, Waltair, Visakhapatnam.
- 2 Hi-Power Elevators Pvt. Ltd., H.No. 49-16-11, Flat No.403, Iswarya Enclave, Lalithanagar, Akkayyapalem, Visakhapatnam 530 016.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order, direction or a Writ one in the nature Mandamus, declaring the action of the 1st respondent in not entrusting the contract works in pursuance of Tender notice 18.5.2007 issued for providing passenger Elevators at A.U.Guest House and allotting the same to the 2nd respondent is illegal, arbitrary, and consequently direct the 1st respondent to allot/entrust the contract work in pursuance of Tender Notice dt. 18.5.2007 issued for providing Passenger Elevators at A.U. Guest House to the Petitioner forthwith, and pass such other relief or reliefs.

Counsel for the Petitioner:MR.A.SRINIVASA SARMA

Counsel for the Respondent No.: (SC FOR AU)M.V.RAJA RAAM

The Court made the following :

THE HON'BLE MS JUSTICE G.ROHINI
WRIT PETITION No.14471 of 2007

ORDER:

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Heard both sides.

Since admittedly, the contract work in pursuance of the impugned tender notice dated 18.5.2007 was already executed, nothing survives for adjudication on merits.

Hence, the writ petition is dismissed as infructuous. However, this order shall not preclude the petitioner to work out the appropriate remedy as available under law claiming damages or any other relief to which he is entitled to. No costs.

Justice G.Rohini

Date:09.06.2009
mrh