

(2002) 05 AP CK 0001

Andhra Pradesh High Court

Case No: Writ Appeal No. 921 of 2002

Labour Contract Society

APPELLANT

Vs

Jangaon Municipal Sanitary
Works and Labour Contract
Co-operative Society Ltd. and
Another

RESPONDENT

Date of Decision: May 14, 2002

Acts Referred:

- Andhra Pradesh Municipalities Tender Rules, 1967 - Rule 5(2)

Citation: (2002) 4 ALT 344

Hon'ble Judges: Elipe Dharma Rao, J; D.S.R. Varma, J

Bench: Division Bench

Advocate: C.B. Ram Mohan Reddy, for the Appellant; E. Venkat Reddy and V.
Viswanatham, S.C., for the Respondent

Final Decision: Dismissed

Judgement

@JUDGMENTTAG-ORDER

D.S.R. Varma, J.

The appellant herein is the 2nd respondent in the writ petition. The appeal is filed against the orders passed by the learned Single Judge of this Court in W.P.No. 877 of 2002, dated 16-4-2002 declaring the acceptance of the tender of the 2nd respondent by the 1st respondent for sanitation work in Janagaon Municipality as illegal.

2. Rule 5(2) of the A.P. Municipalities Tender Rules, 1967 contemplates that tenders from the registered contractors only shall be considered.

3. The learned Counsel for the appellant Sri Ramamohan Reddy submits that the appellant is a registered contractor, registered with the State Government.

4. A fair reading of Rule 5(2) of the Rules reveals that the Contractor shall be registered with the Municipality. Therefore, in view of the explicit language incorporated in Rule 5(2) of the Rules, we are of the view that the learned Single Judge is right in dismissing the contract which was granted in favour of the appellant.

5. It was brought to our notice that pursuant to the judgment of the learned Single Judge, the writ petitioner-1st respondent herein has been allotted the work on 24-4-2002 and he has been performing the work.

6. In view of the above, the writ appeal has to be dismissed. The appeal is accordingly dismissed. No costs.