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

Writ Appeal No. 921 of 2002

Court: Andhra Pradesh High Court

Date of Decision: May 14, 2002

Acts Referred:

Andhra Pradesh Municipalities Tender Rules, 1967 â€" 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.