

**IN THE HIGH COURT FOR THE STATE OF TELANGANA  
AT HYDERABAD**

**MONDAY, THE SIXTEENTH DAY OF DECEMBER  
TWO THOUSAND AND TWENTY FOUR**

**PRESENT**

**THE HONOURABLE THE CHIEF JUSTICE ALOK ARADHE  
AND  
THE HONOURABLE SRI JUSTICE J SREENIVAS RAO**

**WRIT APPEAL Nos: 1319 AND 1328 OF 2024**

**WRIT APPEAL No: 1319 OF 2024:**

Writ Appeal under clause 15 of the Letters Patent preferred against the order dated 10/09/2024 in W P No 21102 of 2023 and pass on the file of the High Court.

**Between:**

Y. Rangaiah Apparao, S/o Dharmarao, Aged 57 years, occ. Business, R/o H.No. 10-2-29, KSP Road, Palvancha, Bhadradi Kothagudem District.

**...APPELLANT/WRIT PETITIONER**

**AND**

1. The State of Telangana, rep by Principal Secretary, (Municipal Administration) Secretariat, Hyderabad.
2. The District collector, Bhadradi Kothagudem District, Kothagudem.
3. The Palvancha Municipality, Rep by its Commissioner, Palvancha, Bhadradi Kothagudem District.
4. Nalluri Satyanarayana, S/o not known, Aged about 55 years, occ. Business, R/o H\_No. 9-1-78, Teachers Colony, New Palvoncha, Bhadradi Kothagudem District.

**...RESPONDENTS/RESPONDENTS**

**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 suspend the order in WP No. 21102 of 2023 dated 10.09.2024 in the interest of justice.

**Counsel for the Appellant: Ms. P. SUMITA REP. FOR**

**SRI P. RAMA SHARANA SHARMA**

**Counsel for the Respondent No.1: Ms. T. RAJITHA, ASST. GP FOR  
MUNICIPAL ADMINISTRATION &  
URBAN DEVELOPMENT**

**Counsel for the Respondent No.2: GP FOR REVENUE**

**Counsel for the Respondent No.3: SRI M. RAM MOHAN REDDY,  
SC FOR MUNICIPALITIES**

**Counsel for the Respondent No.4: Ms. B. LAKSHMI KANAKAVALLI**

**WRIT APPEAL NO: 1328 OF 2024**

Writ Appeal under clause 15 of the Letters Patent preferred against the order dated 10/09/2024 in the W.P.No. 20726 of 2023 on the file of the High Court.

**Between:**

Y. Rangaiah Apparao, S/o Dharmarao, Aged 57 years, Occ Business, R/o H. No. 10- 2- 29, KSP Road, Palvancha, Bhadradi Kothagudem District.

**...APPELLANT**

**AND**

1. The State of Telangana, Rep by Principal Secretary, (Municipal Administration) Secretariat, Hyderabad.
2. The District collector, Bhadradi Kothagudem District, Kothagudem.
3. The Palvancha Municipality, Rep by its Commissioner, Palvancha, Bhadradi Kothagudem District.
4. Chalakapalli Satyanarayana, S/o not known, Aged about 55 years, Occ Business, R/o H. No, 22-5-22, Vikalangula Colony, Palvoncha, Bhadradi Kothagudem District.

**...RESPONDENTS**

**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 suspend the order in WP No. 20726 of 2023 dated 10.09.2024 in the interest of justice.

**Counsel for the Appellant: Ms. P. SUMITA REP. FOR**

**SRI P. RAMA SHARANA SHARMA**

**Counsel for the Respondent No.1: Ms. T. RAJITHA, ASST. GP FOR  
MUNICIPAL ADMINISTRATION &  
URBAN DEVELOPMENT**

**Counsel for the Respondent No.2: GP FOR REVENUE**

**Counsel for the Respondent No.3: SRI M. RAM MOHAN REDDY,  
SC FOR MUNICIPALITIES**

**Counsel for the Respondent No.4: Ms. B. LAKSHMI KANAKAVALLI**

**The Court delivered the following: COMMON JUDGMENT**

THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE

AND

THE HON'BLE SRI JUSTICE J.SREENIVAS RAO

Writ Appeal Nos.1319 and 1328 of 2024

COMMON JUDGMENT: *(Per the Hon'ble the Chief Justice Alok Aradhe)*

Ms. P.Sumita, learned counsel represents Mr. P.Rama Sharana Sharma, learned counsel for the appellant.

Ms. T.Rajitha, learned Assistant Government Pleader for Municipal Administration and Urban Development Department appears for respondent No.1.

Mr. M.Ram Mohan Reddy, learned Standing Counsel for Municipalities appears for respondent No.3.

Ms. B.Lakshmi Kanakavalli, learned counsel appears for respondent No.4 in both the appeals.

2. These intra court appeals are directed against common order dated 10.09.2024, passed by a learned Single Judge, by which the writ petitions preferred by the appellant *viz.*, W.P.Nos.20726 and 21102 of 2023 have been dismissed.

3. Since identical issue arises for consideration in both the appeals *viz.*, rejection of technical bid of the appellant, both the appeals are heard together and are being decided by this common order.

4. For the facility of reference, facts from W.A.No.1319 of 2024 are being referred to.

5. Respondent No.3- Palvancha Municipality issued a notice on 03.05.2023, by which tenders were invited for "construction work of CC drain both sides from Contractors Colony to Vanama Colony main road in Palvancha Municipality under DMFT Funds". The appellant as well as respondent No.4 in both the appeals submitted the bids. The technical bids submitted by the appellant were rejected on the ground that the appellant did not upload the scanned copy of Earnest Money Deposit (EMD) of 1% of Estimated Contract Value (ECV) as well as violated the terms and conditions of G.O.Ms.No.174 dated 01.09.2008. The appellant challenged

the rejection of his technical bids in the aforesaid writ petitions. The learned Single Judge, by common order dated 10.09.2024, has dismissed the writ petitions.

6. From a perusal of para 9 of the counter-affidavits filed by respondent No.3 in the writ petitions, we find that the submission of the appellant that he has uploaded the scanned copies of the EMD fee details in respect of Tender ID Nos.413582 and 414529 is not correct, and the bids were liable to be rejected as per the Tender Rules mentioned in G.O.Ms.No.174 dated 01.09.2008, which are applicable to the Notice Inviting Tender in question.

7. At this stage, learned Standing Counsel for respondent No.3- Palvancha Municipality submits that the Municipality is ready and willing to consider the technical bids of the appellant as well as respondent No.4 in both the appeals and shall proceed in the matter afresh.

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8. In view of aforesaid submission and for the reasons assigned in the preceding paragraph, common order dated 10.09.2024, passed by the learned Single Judge in W.P.Nos.20726 and 21102 of 2023, is set aside.

9. Respondent No.3- Palvancha Municipality is directed to consider the technical bids of the appellant as well as respondent No.4 in both the appeals and thereafter, to proceed in the matter afresh in accordance with law.

10. Accordingly, the Writ Appeals are disposed of. No costs.

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


SD/- M. RAMANA KRISHNA  
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, (Municipal Administration) The State of Telangana, Secretariat, Hyderabad.
2. The District collector, Bhadradi Kothagudem District, Kothagudem.
3. The Commissioner, The Palvancha Municipality, Palvancha, Bhadradi Kothagudem District.
4. One CC to SRI P. RAMA SHARANA SHARMA, Advocate [OPUC]
5. One CC to SRI M. RAM MOHAN REDDY, SC for MUNICIPALITIES [OPUC]
6. One CC to Ms. B. LAKSHMI KANAKAVALLI, Advocate [OPUC]
7. Two CCs to GP FOR MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT, High Court for the State of Telangana. [OUT]
8. Two CCs to GP FOR REVENUE, High Court for the State of Telangana. [OUT]
9. Two CD Copies  
BN



**HIGH COURT**

**DATED:16/12/2024**

**COMMON JUDGMENT**

**WA.Nos.1319 & 1328 of 2024**



**DISPOSING OF BOTH THE WRIT APPEALS  
WITHOUT COSTS**

13  
16/12/24  
LWS