



**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI**  
(SPECIAL ORIGINAL JURISDICITON)

FRIDAY, THE TWENTY FOURTH DAY OF APRIL,  
TWO THOUSAND AND TWENTY

**:PRESENT:**

THE HONOURABLE THE CHIEF JUSTICE SRI JITENDRA KUMAR MAHESHWARI ✓  
AND  
THE HONOURABLE SRI JUSTICE A.V. SESA SAI ✓

IA. Nos. 1 and 2 of 2020  
IN  
TAKEN UP WRIT PETITION No. 8130 OF 2020 ✓

**Taken up W.P. No 8130 of 2020:**

In Re. Corona Virus -COVID-19 PANDEMIC

Versus

1.State of Andhra Pradesh, rep. by its Chief Secretary, State of Andhra Pradesh,  
Secretariat, Velagapudi, Guntur District.

2.Union of India, rep. by its Secretary, Home Affairs, New Delhi.

..Respondents. ✓

**IA. Nos 1 and 2 of 2020:** ✓

**Between:**

State of Andhra Pradesh, rep. by its Chief Secretary, State of Andhra Pradesh,  
Secretariat, Velagapudi, Guntur District.

...Vacate Petitioner ✓

**AND**

Union of India, rep. by its Secretary, Home Affairs, New Delhi.

In Re. Corona Virus -COVID-19 PANDEMIC

....Respondents ✓

**IA. No. 1 of 2020:** Petition under Section 151 of CPC, praying that in the circumstances stated in the affidavit filed in Taken up W.P., the High Court may be pleased to vacate the interim order passed by this Hon'ble High Court in Taken up matter W.P. No. 8130 of 2020 dated 26-03-2020 to the extent of tenders bearing Tender Nos 16/MD/APEWIDC/2019-20 dated 3-2-2020, 17/MD/APEWIDC/2019-20 dated 3-2-2020, 18/MD/APEWIDC/2019-20 date 3-2-2020, 51/MD/APEWIDC/2019-20, dated 30-03-2020, 49 (third call)/MD/APEWIDC/2019-20, dated 20-03-2020, 48 (Second Call) /MD/APEWIDC/2019-20 dated 3-2-2020, 20/MD/APEWIDC/2019-20, dated 3-2-2020, 21/MD/APEWIDC/2019, dated 3-2-2020, pending disposal of Taken up W.P. No. 1830 of 2020 on the file of High Court. ✓

**IA. No. 2 of 2020:** Petition under Section 151 of CPC, praying that in the circumstances stated in the affidavit filed in Taken up W.P., the High Court may be pleased to vacate the interim order passed by this Hon'ble High Court in Taken up matter W.P. No. 8130 of 2020 dated 26-03-2020 to the extent of tenders bearing Tender No's SSA-16021/4/2019-MISSEC/2/2020-21, SSA-16021/4/2019-MISSEC/3/2020-21, SSA-16021/4/2019-MISSEC/4/2020-21, SSA-16021/4/2019-MISSEC/5/2020-21, pending disposal of Taken up W.P. No. 1830 of 2020 on the file of High Court. ✓

The petition coming on for hearing, upon perusing the oral order filed in support thereof and order of High Court dated 26-03-2020 made herein and upon hearing the arguments of SRI P. Sudhakar Reddy, Addl. Advocate General for State, the Court made the following

**ORDER:**

**These applications are filed, under Section 151 CPC, seeking to vacate the interim order dated 26.3.2020 passed by this Court in this taken up writ petition.**

**This Court, on 26.3.2020, issued certain directions touching various aspects during the lock down period. Vide clause No. (iv) of paragraph No.5, this Court directed as follows:**

**“(iv) In the matters of tenders, if they have not been finalized, they shall not be given effect to for a period of one month and the process may be made after expiry of the lock-down period.”**

**In view of the aforesaid direction vide clause (iv), the present applications have been filed by the State of A.P., for relaxation of the above clause of the order to the extent of the tenders referred to in the present applications.**

**Following are the particulars of the tenders in I.A.Nos.1 and 2 of 2020:**

**I.A.No.1 of 2020: Tender Nos.16/MD/APEWIDC/2019-20, dated 3.2.2020; 17/MD/APEWIDC/2019-20, dated 3.2.2020; 18/MD/APEWIDC/2019-20, dated 3.2.2020; 51/MD/APEWIDC/ 2019-20, dated 30.3.2020, 49 (third call)/MD/APEWIDC/2019-20, dated 20.3.2020, 48 (second call)/MD/APEWIDC/2019-20, dated 20.3.2020; 19/MD/APEWIDC/2019-20, dated 3.2.2020; 20/MD/APEWIDC/2019-20, dated 3.2.2020; 21/MD/APEWIDC/ 2019-20, dated 3.2.2020.**

**I.A.No.2 of 2020: SSA-16021/4/2019-MISSEC/2/2020-21, SSA-16021/4/2019-MISSEC/3/2020-21, SSA-16021/4/2019-MISSEC/4/2020-21, SSA-16021/4/2019-MISSEC/ 5/ 2020-21.**

**While referring to the above tenders, Sri P. Sudharkar Reddy, learned Additional Advocate General for the State of A.P., submits that the items indicated in the tenders are required to be procured expeditiously as the classes for the next academic year are to be commenced shortly and in the event of any delay in procuring the same, the schools and eventually, the students will ultimately have to suffer irreparable inconvenience and hardship.**


**It is very much evident from a reading of the tender notifications that the subject tenders have been issued for procurement of furniture, note books, shoes, socks, belts and school bags to the students etc. Therefore, this Court finds sufficient justification in the submissions of the learned Additional Advocate General.**

**Having regard to the submissions of the learned Additional Advocate General and taking into consideration the contents of the supporting affidavits and the nature of items sought to be procured by way of subject tenders, this Court deems it appropriate to pass the following order:**

- (i) The applicants are permitted to proceed further with the subject tenders and finalize the same strictly in accordance with law;**
- (ii) The applicants are entitled to proceed in the above manner only in the absence of any other order of any court or authority restraining them from doing so.**
- (iii) This Order, by way of modification of the orders dated 26.3.2020 and 20.4.2020, is applicable only to the extent of the tenders mentioned in the present interlocutory applications.**

**Accordingly, both the I.As are disposed of.**

//TRUE COPY//

Sd/- M. RAMESH BABU  
ASSISTANT REGISTRAR  
  
for ASSISTANT REGISTRAR

1. The Chief Secretary, State of Andhra Pradesh, Secretariat, Velagapudi, Guntur District.
2. The Chief Secretary, State of Telangana, Secretariat, Hyderabad
3. The Secretary, Union of India, Home Affairs, New Delhi.
4. The Executive Chairman, State Legal Services Authority, Vijayawada, Krishna District.
5. The Executive Chairman, High Court Legal Services Committee, Amaravati.
6. The Principal Secretary, Home Department, Secretariat, Velagapudi, Guntur District.
7. The Principal Secretary, Medical and Health and Family Welfare, Secretariat, Velagapudi, Guntur District.
8. The Director General of Prisons, A.P., Vijayawada, Krishna District.
9. The Director General of Police, Mangalagiri, Amaravati A.P.,
10. The Port Officer, Visakhapatnam Port Authority, Visakhapatnam, Visakhapatnam District.
11. The Port Officer, Kakinada Port Authority, Kakinada, East Godavari District.
12. The Port Officer, Machilipatnam Port Authority, Krishna District.
13. The Port Officer, Kalingapatnam Port Authority, Srikakulam District.
14. The Port Officer, Krishnapatnam Port Authority, Nellore, SPSR Nellore District.
15. The Registrar (Judicial), High Court of A.P., at Amaravati ✓
16. The Registrar General, High Court of A.P., at Amaravati ✓
17. The Director, Social Welfare, Velagapudi, Amaravati, A.P., ✓
18. Two CCs to the Advocate General, High Court of A.P., (OUT) ✓
19. Two CCs to Sri P. Sudhakar Reddy, Addl. Advocate General, High Court of A.P., (OUT) ✓
20. Two CCs to GP for Home, High Court of A.P., at Amaravati (OUT)
21. Two CCs to GP for Medical and Health, High Court of A.P., at Amaravati (OUT)
22. Two CCs to GP for Municipal Administration, High Court of A.P., at Amaravati (OUT)
23. Sri C. Sumon, Special Government Pleader, High Court of A.P., (OUT)
24. Two CCs to G.P. for Panchayat Raj & Rural Development, High Court of A.P., (OUT)
25. One CC to Sri Kasa Jagan Mohan Reddy, Advocate (OPUC) ✓
26. Two spare copies.

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**HIGH COURT**

**HC,J & AVSS,J**

**DATE: 24-04-2020**

**ORDER**

**IA. No. 1 & 2 of 2020  
IN  
TAKEN UP W.P.No. 8130 of 2020.**



**DIRECTION**