

IN THE HIGH COURT OF ANDHRA PRADESH: AMARAVATI

HON'BLE MR. JUSTICE PRASHANT KUMAR MISHRA, CHIEF JUSTICE

&

HON'BLE MR. JUSTICE D.V.S.S. SOMAYAJULU

WRIT APPEAL No.163 of 2023

(Through physical mode)

Sri Krishna Pharmaceutical,
Rep. by its Proprietor,
K.V.Krishna Mohan Rao,
S/o. Poornachandra Rao, aged about 45 years,
D.No.11-32-MB, Challamarajuvari Street,
Vijayawada, Krishna District.

.. Appellant

Versus

M/s.K.V.Pharma, Rep. by its proprietor,
Sheik Maqbul Basha, Ground Floor,
19/301, Varasumaiah Street, Kadapa,
YSR Kadapa District, and others.

.. Respondents

ORAL JUDGMENT

Dt: 25.01.2023

(per Prashant Kumar Mishra, CJ)

This writ appeal is directed against the order dated 26.12.2022 passed by the learned single judge in I.A.No.1 of 2022 in W.P.No.34732 of 2022.

The said order reads as under:

" The learned counsel for the petitioner contends that in view of the proceedings issued by the 6th respondent in Rc.No.2154/G1/GGH/KDP/2022, dated 17.05.2022, the 6th respondent approved rate contract for Drugs and Medicines, Surgical and Lab items for a period of two years w.e.f. 15.05.2022, to the petitioner.

The said contract is still existing and it is valid up to 14.05.2024. The learned counsel contends that he supplying medicines regularly and there is no any complaints against him. Now they are not allowing the petitioner to supply the same, though the contract is subsisting.

On perusal of Ex.P1 filed by the petitioner, this Court prima facie satisfied that the rate contract approved in favour of the petitioner is valid up to 14.05.2024.

Accordingly, there shall be interim direction as prayed for.”

2. Considering that the matter is still pending consideration before the learned single Judge, we are not inclined to interfere with the interim order passed by the learned single Judge, more so, as it is a reasoned one and the appellant is not in a position to controvert the factual position as to the contract of the writ petitioner being in existence and valid up to 14.05.2024.

3. Accordingly, this writ appeal is dismissed. However, liberty is granted in favour of the appellant to make a request before the learned single Judge for expeditious disposal of the writ petition. No costs. Pending miscellaneous applications, if any, shall stand closed.

PRASHANT KUMAR MISHRA, CJ

D.V.S.S. SOMAYAJULU, J

PSA

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