

**(SHOW CAUSE NOTICE BEFORE ADMISSION)  
IN THE HIGH COURT FOR THE STATE OF TELANGANA  
AT HYDERABAD**

THURSDAY, THE SEVENTEENTH DAY OF AUGUST  
TWO THOUSAND AND TWENTY THREE

**:PRESENT:**  
**THE HON'BLE SRI JUSTICE B.VIJAYSEN REDDY**

**WRIT PETITION NO: 22200 OF 2023**

**Between:**

M/s. Oasys Cybernetics Pvt. Ltd., Registered under the Companies Act, 1956, having registered office at No. 3/4, Stringers Road, Oas Towers, Vepery, Periamet, Chennai Tamil Nadu - 600003. Represented by its Authorised Representative.

Petitioner

**AND**

1. Telangana State Technology Services Ltd, 2<sup>nd</sup> Floor, HACA Bhavan, Opp: to Assembly, Nampally, Hyderabad, Telangana -500 004, Represented by its Managing Director.
2. Commissioner of Civil Supplies, State of Telangana, Office at Civil Supplies Bhavan, Erramanjil, Somajiguda, Hyderabad - 500 082, Represented by Commissioner.
3. State of Telangana, Consumer Affairs Food and Civil Supplies Ministry, Civil Supplies Department, Secretariat, Hyderabad, Represented by Secretary.
4. M/s. Linkwell Telesystems Pvt. Ltd, having registered office at 1-11- 252/1B, Behind Shopper's Stop, Begumpet Hyderabad, Telangana -500016, Represented by its Authorized Representative.
5. Central Vigilance Commission, Satarkta Bhavan, Block-A, GPO Complex, INA, New Delhi - 110023, Represented by its Chief Commissioner.
6. Telangana Vigilance Commission, 2<sup>nd</sup> Floor, D-Block, BRKR Bhavan, Hyderabad- 500 063, Represented by its Commissioner.
7. Comptroller and Auditor General of India, Office at Pocket-9, Deen Dayal Upadhyaya Marg, New Delhi - 110124, Represented by Additional Deputy Comptroller and Auditor General (Central Region)

Respondents

WHEREAS the Petitioner above named through its Advocate Sri M. Abhinay Reddy, presented this Petition under Article 226 of the Constitution of India, praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to pass an order or orders, direction or writ more particularly one in the nature of Writ of certiorari to call for records;

a). Declare the Tender bearing bid reference No. TSTS/HWPI/CSD/EPOS/066/2021 dated 08.12.2021 and all consequential actions including disqualification of the Petitioner's pre-qualification bid, declaration of the Respondent No. 4 as the successful bidder and awarding of contract to the Respondent No. 4, as arbitrary, illegal, contrary to the terms of the said Tender, and consequently set aside the same,

- b). direct Respondent Nos. 1 and 2 to blacklist and debar the Respondent No. 4 (including all its products) from participating in future tenders, in accordance with clause 4.2(3) of the Tender bearing bid reference No. TSTS/HWP1/CSD/EPOS/066/2021 dated 08.12.2021, and terminate its agreement/contract;
- c). declare the actions of the Respondent No. 2 in closing the agreement dated 07.03.2017 entered with the Petitioner, in relation to Request for Proposal (RFP) bearing No. CGG/eDev/CSD-TS/ePOS/1/2016 dated 12.11.2016, earlier than the agreed term, as the same is arbitrary, illegal and contrary to the terms of the said RFP and agreement, and
- d). declare the letters bearing CCS. Ref. No. IT-1/1210/2016 dated 02.01.2023 and 05.08.2023 issued by the Respondent No. 2 to the Petitioner, as arbitrary, and illegal, and consequently set aside the same.

AND WHEREAS the High Court upon perusing the petition and affidavit filed therein, and upon hearing the arguments of Sri M.Abhinay Reddy, Advocate for the Petitioner, directed issue of notice to the Respondents No. 4 & 6 herein to show cause as to why this WRIT PETITION should not be admitted.

You.viz:

1. The Authorized Representative, M/s. Linkwell Telesystems Pvt. Ltd, having registered office at 1-11- 252/1B, Behind Shopper's Stop, Begumpet Hyderabad, Telangana -500016.
2. The Commissioner, Telangana Vigilance Commission, 2<sup>nd</sup> Floor, D-Block, BRKR Bhavan, Hyderabad- 500 063.

are directed to show cause on or before 31-08-2023 to which date the case stands posted as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

**IA NO: 5 OF 2023:**

Petition under Section 151 of CPC, praying that in the circumstances stated in the affidavit filed in the writ petition, the High Court may be pleased to stay all proceedings in furtherance of the letters bearing CCS. Ref. No. IT-1/1210/2016 dated 02.01.2023 and 05.08.2023 issued to the Petitioner, pending disposal of WP No. 22200 of 2023, on the file of the High Court.

**The Court made the following: ORDER:**

**“Mr. Mohammad Anwar Ali, learned Standing Counsel accepts notice on behalf of respondent No.1**

**Learned Assistant Government Pleader for Civil Supplies accepts notice on behalf of respondent Nos.2 and 3.**

**Mr. Gadi Praveen Kumar, Deputy Solicitor General of India, accepts notice on behalf of respondent No.5.**

**Mr. K. Ajay Kumar, learned Standing Counsel accepts notice on behalf of respondent No.7.**

Issue notice to respondent Nos.4 and 6.

Learned counsel for the petitioner is permitted to take out personal notice to respondent Nos.4 and 6 by Registered Post with Acknowledgment Due and file proof of service.

Learned Standing counsels for respondent Nos.1, 5 and 7 seeks time to get instructions.

*Status quo* obtaining as on today, shall be maintained, pursuant to the letters bearing CCS.Ref.No.IT-1/1210/2016 dated 02.01.2023 and 05.08.2023 till next date of hearing.

Post on 31.08.2023.”

//TRUE COPY//

SD/- A.V.S. PRASAD  
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Managing Director, Telangana State Technology Services Ltd, 2<sup>nd</sup> Floor, HACA Bhavan, Opp: to Assembly, Nampally, Hyderabad, Telangana -500 004.
2. The Commissioner of Civil Supplies, State of Telangana, Office at Civil Supplies Bhavan, Erramanjil, Somajiguda, Hyderabad - 500 082.
3. The Secretary, Consumer Affairs Food and Civil Supplies Ministry, Civil Supplies Department, State of Telangana, Secretariat, Hyderabad.
4. The Authorized Representative, M/s. Linkwell Telesystems Pvt. Ltd, having registered office at 1-11- 252/1B, Behind Shopper's Stop, Begumpet Hyderabad, Telangana -500016.
5. The Chief Commissioner, Central Vigilance Commission, Satarkta Bhavan, Block-A, GPO Complex, INA, New Delhi – 110023, Represented by its Chief Commissioner.
6. Telangana Vigilance Commission, 2<sup>nd</sup> Floor, D-Block, BRKR Bhavan, Hyderabad-500 063. (Addressees 4 & 6 BY RPAD along with a copy of petition and affidavit)
7. The Additional Deputy Comptroller and Auditor General (Central Region), Comptroller and Auditor General of India, Office at Pocket-9, Deen Dayal Upadhyaya Marg, New Delhi – 110124. (Addressees 1 to 3, 5 & 7 BY RPAD)
8. Two CCS to GP for Civil Supplies, High Court of Telangana, at Hyderabad (OUT)
9. One CC to Sri M. Abhinay Reddy, Advocate (OPUC)
10. One Spare Copy

**HIGH COURT**

**BVR,J**

**DATE: 17-08-2023**

**NOTE: POST ON 31-8-2023**

**NOTICE BEFORE ADMISSION**

**WP. NO. 22200 OF 2023**

**STATUS QUO**

