IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HON'BLE THE ACTING CHIEF JUSTICE P.SAM KOSHY
AND
THE HONOURABLE SRI JUSTICE SUDDALA CHALAPATHI RAO

WRIT APPEAL No.1153 of 2026
(CNR No.HBHC010729582026)

Date:15.10.2026

Between:
M/s.Sushee Infra and Mining Limited

…Appellant

And

The State of Telangana and others.

…Respondents

JUDGMENT: *(per the Hon'ble the Acting Chief Justice P.Sam Koshy)*

Heard Mr.Avinash Deasai, learned Senior Counsel appearing for Mr.S.Sahil Reddy, learned counsel for the appellant; Mr.Mukul Rohthigi, learned Senior counsel appearing for Mr.T.Rajini Kanth Reddy, learned Additional Advocate General, appearing for respondent Nos.2 and 3. Perused the record.

2. The present is the appeal which has been filed by the appellant-writ petitioner aggrieved of the order dated 12.10.2026 passed in WP.No.34227 of 2026 pertains to the tender that has been floated by the respondents for "construction of Radial Road-2 (RR-2) from ORR at Kothwalguda (Budwel) to NH-167N near Nacharam for a length of 81.15 Km, Package 1-Budvel to Shabad (Ch:0+00 km to 29+50 km)". During the technical bid evaluation, the appellant was found disqualified, which has lead to filing the writ petition, where the primary contention of the appellant, is that the price quoted by the appellant and the price quoted by the successful bidder, there is difference of more than Rs.600

crores , which is huge difference and which the respondents ought to have taken note of before proceeding with the tender proceedings.

3. However, the Writ Court was not inclined to grant interim order and ordered the respondents to file counter and posted the matter on 29.10.2026. Upon due consideration of all the submissions made by learned counsel for appellant and the grounds raised, we find these are the grounds which have been duly considered by the learned Single Bench and that in the process, a case for granting interim protection has not been made. However, the matter was posted to be taken-up immediately after two weeks i.e. on 29.10.2026. In view of the order that stands passed by the learned Single Bench, we do not find any perversity or an error on the part of the learned Single Bench in passing the said order, more particularly, when the order appears to have been passed in the exercise of the discretionary jurisdiction, which is vested upon the learned Single Bench in the course of deciding an interim application attached to the writ petition. We are, therefore, inclined not to entertain the appeal at this juncture.

4. Nonetheless, taking into consideration the gravity of the matter and also the nature of the work which has been proposed through the said tender, we are of the considered opinion that the pendency of the writ petition should not, in any manner, stall the proceedings. Let the Writ Court take an appropriate decision and decide the matter on its own merits in accordance with law.

5. Considering the gravity of the matter, it is expected that the respondents shall ensure filing of counter before the next date of hearing before the learned Single Bench and the learned Single Bench shall decide the matter as expeditiously as possible.

6. The Writ Appeal stands disposed of accordingly. There shall be no order as to costs.

Miscellaneous applications pending, if any, shall stand closed.

P.SAM KOSHY, ACJ

SUDDALA CHALAPATHI RAO, J

15.10.2026
Nvl

THE HON'BLE THE ACTING CHIEF JUSTICE P.SAM KOSHY
AND
THE HONOURABLE SRI JUSTICE SUDDALA CHALAPATHI RAO

W.A No. 1153 of 2026

(Per the Hon'ble the Acting Chief Justice P.Sam Koshy)

15.10.2026
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