

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

**TUESDAY, THE TENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX**

PRESENT

**THE HON'BLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH
AND**

THE HON'BLE SRI JUSTICE G.M. MOHIUDDIN

WRIT APPEAL NO: 139 OF 2026

Writ Appeal under clause 15 of the Letters Patent preferred against Order dated 03.12.2025 in W.P.No.23447 of 2025 on the file of the High Court.

Between:

Kummari Sunitha, D/o. K. Ramulu, Aged About 35 yrs Old, R/o. Himayathnagar, Hyderabad

...APPELLANT/PETITIONER

AND

1. Telangana State Road Transport Corporation, Rep. by its Managing director, Bus Bhavan, Musheerabad, Hyderabad.
2. Deputy Regional Manager, (O) Ranga Reddy Region, TGSRTC, MGBS, Hyderabad.
3. Regional Manager, Ranga Reddy Region, MGBS, TGSRTC, Hyderabad.

...RESPONDENTS/RESPONDENTS

IA NO: 2 OF 2026

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 operation of the tender notification vide No. P4/797(3-e-Tender)/2025-RR Dated. 17/01/2026 issued by the 3rd Respondent, in so far as it relates to stall no. 29 in MOBS, Hyderabad.

Counsel for the Appellant: SRI C. RAMACHANDRA RAJU

Counsel for the Respondents: SRI R. ANURAG, S.C. FOR TSRTC

The Court made the following: JUDGMENT

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THE HON'BLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH
AND

THE HON'BLE SRI JUSTICE G.M.MOHIUDDIN

WRIT APPEAL No.139 of 2026

Dated: 10.02.2026

Between:

Kummari Sunitha

...Appellant

and

Telangana State Road Transport Corporation,
Rep. by its Managing Director, Bus Bhavan,
Musheerabad, Hyderabad,
and 2 others.

...Respondents

JUDGMENT:

Learned counsel Sri C.Ramachandra Raju appears for the appellant.

Sri R.Anurag, learned Standing Counsel for Telangana State Road Transport Corporation, appears for the respondents.

2. E-Tender Notification dated 19.07.2024 in which the appellant participated and submitted Rs.10,00,000/- as Earnest Money Deposit (EMD) vide D.D.No.382667 dated 05.08.2024 was cancelled on 22.05.2025 by the respondents (hereinafter referred to as, "the

Corporation”) with which the aggrieved appellant approached the learned writ court by filing W.P.No.23447 of 2025. It is an admitted fact that no communication of letter of acceptance of the tender was made to the appellant. Incidentally, on account of challenge by the erstwhile licensee in W.P.No.20948 of 2024, the tender process remained suspended by virtue of an interim order passed in that case. The learned writ court by the impugned order dated 03.12.2025 refused to quash the proceedings dated 22.05.2025 cancelling the e-Tender Notification dated 19.07.2024. Aggrieved by the same, the instant appeal is preferred by the appellant.

3. We have taken note of the stand of the Corporation through their counter affidavit filed in the writ petition.
4. The counter affidavit filed by the Corporation shows that the appellant was the second highest bidder. It further stated that the Corporation had never promised to award tender to the appellant subject to outcome of W.P.No.20948 of 2024 or otherwise.
5. Learned counsel for the appellant submits that the cancellation of tender is arbitrary. Though officially the award of tender in favour of the appellant was not communicated, but from the averments made in

the counter affidavit, it would be obvious that the tender process was kept in abeyance due to the interim order passed in another writ petition. As a result, the EMD of Rs.10,00,000 - remained withheld for more than one year causing loss and agony to the appellant as well. The learned writ court failed to take into account the arbitrariness on the part of the Corporation in not finalising the tender for award of work in favour of the appellant.

6. We have heard learned counsel for the parties.

7. It is trite law that no right accrues in favour of a bidder on submission of the tender alone, unless the bid is accepted and duly communicated. There is no letter of acceptance communicated to the appellant. Reference is made to the decision in **Haridwar Singh v. Bagun Sumbrui**¹. The learned writ court also relied upon a recent decision of the Apex Court in the case of **Indore Vikas Praadhikaran (IDA) v. Shri Humud Jain Samaj Trust**² on the same lines.

8. In the aforesaid circumstances, since no accrued right in favour of the appellant has been affected on cancellation of the e-tender, may be even on account of the tender process being kept in abeyance due to an

¹ (1973) 3 SCC 889 : 1972 SCC OnLine SC 133

² AIR 2025 SC 322 : 2024 SCC OnLine SC 3511

interim order passed in another writ petition, the challenge thereto has rightly been refused by the learned writ court. If the appellant has any grievance as regards the delay in return of EMD by keeping the tender process in abeyance for more than a year, she has the civil remedy to raise her grievances. We, however, do not find any reason to interfere in the impugned order.

9. The instant appeal is accordingly dismissed. There shall be no order as to costs.

Miscellaneous applications pending, if any, shall stand closed.

SD/-MOHD. ISMAIL
DEPUTY REGISTRAR

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SECTION OFFICER

To

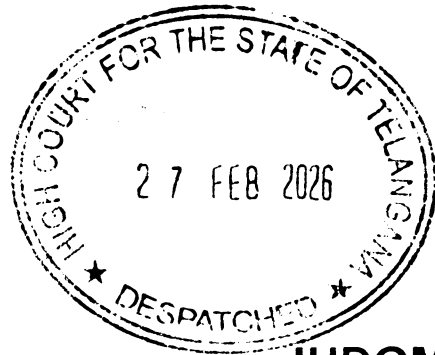
1. One CC to SRI C. RAMACHANDRA RAJU, Advocate [OPUC]
2. One CC to SRI R. ANURAG, S.C. for TSRTC [OPUC]
3. Two CD Copies

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pmg.

HIGH COURT

DATED:10/02/2026



JUDGMENT

WA.No.139 of 2026

DISMISSING THE WRIT APPEAL

WITHOUT COSTS

⑤ pmc.
26/2/26