

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.1706 OF 2015

India Building Material Suppliers

Petitioner

Versus

The State of Maharashtra and others

Respondents

Mr.D.P. Palodkar advocate for the petitioner

Mr.S.G. Karlekar, AGP for Respondent No.1 to 3

CORAM : R.M. BORDE &
V.K. JADHAV, JJ

Dated : 15th April, 2015.

PER COURT :-

1 The petitioner is praying for issuance of directions to quash the E-tender process initiated by notice dated 6.2.2015. The petitioner contends that, he participated in the second round of E-tender/E-auction proceedings and was the highest bidder and as such, it was not permissible for the authorities to cancel the auction and opt for third round of auction proceedings.

2 An affidavit in reply has been presented on behalf of respondent No.1 to 3 wherein, it has been disclosed that, during the first round, the highest bid was for an amount of Rs.2,40,71,567/-. However, It is revealed to the authorities that all the seven bidders have formed a cartel and quoted disproportionately less amounts. The authorities, therefore opted

for holding third round of auction, wherein, 9 bidders participated and the highest offer by the successful bidder is to the tune of Rs.1,15,21,567.

3 These facts noted above, itself reveal that, during second round of auction process, the petitioner and his other companion contractors formed a cartel, which has resulted in holding of third round of tender/action process. As such, the petition does not deserve consideration.

4 Writ Petition stands rejected.

5 Interim relief granted earlier stands vacated.

(V.K. JADHAV, J)

(R.M.BORDE, J)