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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6489 OF 2014

TPS Infrastructure Ltd.

..Petitioner.

V/s.

The Municipal Commissioner,
Nasik Municipal Corporation & Ors.

..Respondents.

Ms.Najafiya Shroff i/b. Pradeep Havanur for the petitioner.

Mr.V.S.Tadke i/b. M.L. Patil for respondent Nos.1 & 2.

**CORAM : A.S.OKA AND
A.K. MENON, JJ.****DATED : 19TH JANUARY, 2015****P.C. :-**

1. Heard learned counsel for the petitioner. There is a reply filed by Mr.Narayan Sonu Gawli, Executive (Mechanical), Nasik Municipal Corporation. On 25th February, 2014 the petitioner's Director was informed that the petitioner has been held to be disqualified. In its letter dated 27th February, 2014 (Exhibit-L to the petition), the petitioner has noted that his bid has been rejected.

2. It is noted in the reply affidavit that the work order was issued on 4th March, 2014 and the machine has been delivered

on 6th October 2014. What is important to note is that atleast on 27th February, 2014 the petitioner was aware that the bid was not accepted. The present petition has been affirmed on 21st May, 2014 and the same was lodged on 9th June, 2014. In the facts of the case, the tender was for supply a machine. Considering the aforesaid gross delay, the petition cannot be entertained. Only on the ground of delay, we reject the petition.

(A.K.MENON, J.)

(A.S.OKA, J.)