

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

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WRIT PETITION NO.8649 OF 2013

Manohar Ganpat Galande	.. Petitioner
Vs.	
State of Maharashtra & Ors.	.. Respondents

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Mr.M.V. Shingade, Advocate for the Petitioner.
Mrs.M.P. Thakur, AGP for Respondent No.1.
Mr.G.S. Hegade, Advocate for Respondent Nos.2 and 3.

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**CORAM : A.S. OKA &
A.P. BHANGALE, JJ.**

DATED : MARCH 18, 2015.

P.C. :

Heard learned counsel appearing for the petitioner. The City and Industrial Development Corporation of Maharashtra Limited, the second respondent had invited tenders for sale of a plot of Row House No.61C more particularly described in prayer Clause (a) of the petition. The case of the petitioner is that though he submitted highest bid, the said bid was not accepted by the CIDCO, and therefore by communication dated 7th June, 2012, the petitioner was directed to take back the Demand Draft.

2 The submission of the learned counsel appearing for the petitioner is that the second respondent CIDCO being a State within

the meaning of Article 12 of the Constitution of India, ought not to act in an arbitrary manner. He submitted that the amount offered by the petitioner was 2 and ½ times more than the base rate and, therefore, there was no reason for CIDCO to reject the bid.

3 We have considered the submissions. Communication dated 7th June, 2012, records that the rate offered by the petitioner was not acceptable to the management of the CIDCO, and therefore, the petitioner was informed that the allotment cannot be made to him. Under the terms and conditions of the tender, second respondent had reserved a right to reject any or all offers without assigning any reasons. Merely because the petitioner offered highest bid, no right is created in his favour. As the second respondent CIDCO was not satisfied with the rate offered by the petitioner, the bid has not been accepted. It is not the case of the petitioner that a lower bid has been accepted by the second respondent.

4 Hence, we find no illegality or arbitrariness in the action of the second respondent. There is no merit in the petition and the same is rejected.

(A.P. BHANGALE, J.)

(A.S. OKA, J.)