

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.6627 OF 2014

M/s. Sachin Security & Intelligence Bureau.	..	Petitioner
Vs		
The State of Maharashtra and Others.	..	Respondents
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Shri Suresh M. Sabrad for the Petitioner.		
Shri V.S. Gokhale, AGP for Respondents.		
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CORAM : A.S. OKA & A.K.MENON, JJ
DATED : 11TH FEBRUARY 2015

P.C.

Heard the learned counsel appearing for the Petitioner and the learned AGP for the Respondents. The challenge in this Petition under Article 226 of the Constitution of India is to the tender invited by the State Government. The contention raised in this Petition is that the tender has been invited for a period for which the Petitioner has a subsisting contract/work order. The contention is that for the period for which the Petitioner has a subsisting contract, the tender cannot be invited.

2. There is an affidavit filed by Dr. Mukund Saidaji Diggikar, the Joint Director of Health Services of the Government of Maharashtra. In Paragraph No.1 of the said affidavit, he has stated thus:

“1. I state that work order issued to the Petitioner dated 18/02/2014 (Exhibit-G) is operative and if the Respondents desire to cancel or terminate the said order, due process of law will be followed. I further state that if the Respondents desire to terminate or cancel the work order issued in favour of the Petitioner, 15 days advance notice thereof shall be issued to the Petitioner.”

3. As of today, the work order issued to the Petitioner has not been terminated. In view of the aforesaid statement, if the State intends to terminate the work order, the Petitioner will get an opportunity to challenge the action. Hence, it is not necessary to entertain this Petition. By accepting the aforesaid statements, we dispose of the Petition.

(A.K.MENON, J)

(A.S. OKA, J)