

ssp

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.225 OF 2014

Viswaat Chemicals Ltd. ...Petitioner
vs.
The Union of India & Anr. ...Respondents

Mr.Niranjan Shimpi a/w L.S.Shetty, Namita Shetty i/b
L.S.Shetty & Associates for the petitioner
Ms Shehnaz (Sheroo) Vispy Bharucha a/w Mr.Dharen
Shah for the respondent Nos.1 and 2.

CORAM : A.S.OKA, &
A.K.MENON, JJ.
DATE : JANUARY 9, 2015

P.C.:

1 The learned counsel for the respondent Nos.1 and 2 has tendered across the bar a print out of e-mail dated 2nd December 2014 addressed on behalf of the Director of High Energy Material Research Laboratory. It records that Central Bureau of Investigation filed a closure report against the petitioner and therefore, the respondent No.2 has awarded a two year pending contract to the petitioner and in fact the petitioner is working with the respondent no.2. The e-mail also records that in other pending case (Boron Powder), papers have been forwarded for awarding contract to the petitioner and the order will be placed within a month. It is further stated that as earlier action was based on the pending CBI enquiry, now there is no issue pending from the side of the respondent

no.2 and the petitioner is given opportunity in every eligible case. The print out of the said e-mail is taken on record and marked 'X' for identification.

2 The only substantive prayer in this petition was for issuing a writ of mandamus directing the respondent No.2 to open price bid submitted by the petitioner without taking into consideration the pendency of the CBI enquiry and to consider the case of the petitioner for awarding the contract subject matter of the tender to the petitioner.

3 In view of what is stated in the e-mail, the only substantive prayer in the petition does not survive. If the petitioner has any other grievance, it is for the petitioner to adopt appropriate remedy. Accordingly, we dispose of the petition.

(A.K.MENON,J.)

(A.S.OKA,J.)