

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

Writ Petition No. 6064 of 2015

(Sushikshit Berojgar Abhiyanta Sanghatna (Association), District Gondia
through its President A. A. Jain Vs. The State of Mah. through its Secretary,
Public Work Dept. and ors.)

Office Notes, Office Memoranda of
Coram, appearances, Court's orders
of directions and Registrar's orders

Court's or Judge's order

Shri G. G. Bade, Advocate for the petitioner
Smt. Bharati Dangre, G.P. for the respondents

**CORAM : Smt. Vasanti A. Naik and
Prasanna B. Varale, JJ.**

DATE : 8-12-2015.

Heard.

By this petition, the petitioner seeks a direction to the respondents to recall the tenders dated 4-10-2015 and 6-10-2015 being contrary to the guidelines laid down by the Government in the Government Resolution dated 24-4-2015.

It is stated on behalf of the petitioner that though in terms of the Government policy that is reflected in the Government Resolution dated 24-4-2015, construction work is to be allotted as per the tenders to the registered contractors, labour co-operative societies and unemployed engineers in the proportion of 33:33:34, the State Government has been consistently discriminating, by not allowing 33% work to the unemployed engineers. The petitioner, an association of unemployed engineers have therefore, challenged the tender notices. It is

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sought to be pointed out that during the past several years, the Government has been granting less than 33% work to the unemployed engineers. It is also stated that for the year 2015-16, the State has already awarded work orders to the extent of Rupees Sixteen Crores to the labour cooperative societies.

Mrs. Dangre, the learned Government Pleader has tendered an additional affidavit on behalf of the respondent no. 4 in the Court today. It is stated in the additional affidavit that the State Government is desirous to issue the work orders in terms of the Government policy. It is stated that the unemployed engineers would be compensated by granting more contracts to them for the rest of the year i.e. till April, 2016. It is stated that at the end of the year i.e. April, 2016, the State Government would allot work to registered contractors, labour cooperative societies and unemployed engineers in the proportion of 33:33:34. It is stated that this Court may accept the solemn undertaking on behalf of the respondent and may dispose of the writ petition so that the interim relief could be vacated. It is stated that if work orders are not issued in terms of the impugned tender notices, the amount earmarked for the works would lapse.

By accepting the statement made on behalf of the respondent no. 4, which would be binding on the

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respondents, we dispose of the writ petition with no order as to costs.

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