

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

Writ Petition No. 59 of 2007

District : Aurangabad

Gurunanak Industries,
Registered partnership firm,
Through its partner,
Khushbirsingh s/o. Basangsingh Bindra,
Age : 55 years,
Occupation : Contractor,
R/o. Kranti Chowk, Aurangabad.

.. Petitioner.

versus

1. The State of Maharashtra,
Through the Secretary,
Public Works Department,
Mantralaya, Mumbai.
2. The Executive Engineer,
Public Works Division,
Aurangabad.
3. The Executive Engineer,
Public Works (West) Division,
Aurangabad.
4. The Executive Engineer,
Public Works Division,
No.1, Jalna.
5. The Executive Engineer,
Public Works Division,
No.2, Jalna.
6. The Chief Engineer,
Public Works Department,
Aurangabad Region,
Aurangabad.

7. Superintendent Engineer,
Public Works Circle,
Aurangabad.
8. Shri K.B. Pathrikar,
Jawahar Colony Road,
Motiwala Complex,
Aurangabad,
Taluka & District : Aurangabad.
9. Shri P.V. Patil,
Behind Kandharkar Hospital,
Aurangabad,
Taluka & District : Aurangabad.
10. M/s. Charnia Construction,
Jalna Road, Mahavir Complex,
Aakashwani, Aurangabad,
Taluka & District : Aurangabad.
11. Shri R.V. Patil,
Jalna Road, Near R.T.O. office,
Jalna, Taluka & District : Jalna. .. W.P. already dismissed
as against respondent no.11
12. M/s. R.R. Khodke,
Senior Jin, Behind Yojna Hotel,
Station Road, Jalna,
Taluka & District : Jalna. .. Respondents.

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Mr. P.R. Katneshwarkar, Advocate, for the petitioner.

*Mrs. M.A. Deshpande, Asst. Government Pleader, for
respondent nos.1 to 7.*

Respondent nos.8, 9, 10 and 12 served (Absent).

*W.P. is dismissed as against respondent no.11 as per
order of the Registrar (Judicial) dated 3-8-2009.*

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**CORAM : S.V. GANGAPURWALA &
A.M. BADAR, JJ.**

DATE : 15TH JANUARY 2016

PER COURT :

1. Heard Mr. Katneshwarkar, the learned Counsel for the petitioner and Mrs. Deshpande, the learned Asst. Government Pleader for respondent nos.1 to 7. None present for other respondents.

2. The issuance of tender of the year 2007 is assailed.

3. This Court while admitting the Writ Petition had observed that the pendency of the Writ Petition would not prevent the petitioner from making a claim for damages or prevent the Court or Tribunal from deciding such claim, if made. The Court had further observed that '*The question whether any relief ought to be granted against respondent nos.8 to 12 can be considered at the time of final hearing of the Writ Petition*'.

4. The said proceedings would now merely be academic and would not serve any purpose. In the light of that, the Writ Petition is disposed of. Rule is discharged. No costs.

**(A.M. BADAR)
JUDGE**

**(S.V. GANGAPURWALA)
JUDGE**

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