

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

WRIT PETITION NO. 780 OF 2015

Garudzep Selfhelp Society (Women)
Kallmb Through its President
Manisha Bhagwanrao Rakhunde ...PETITIONER

versus

The State of Maharashtra and others ...RESPONDENTS

.....

Mr. S.A. Wakure, Advocate holding for
Mr. B.S. Shinde, Advocate for petitioner
Mr. S.M. Ganachari, bAGP for respondents No. 1 to 3
Mr. V.C. Patil, Advocate holding for
Mr. U.B. Bondar, Advocate for respondent No. 4
Mr. B.R. Kedar, Advocate for respondent No. 6

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**CORAM : S. V. GANGAPURWALA AND
K.K. SONAWANE, JJ.**

DATED : 9th JUNE, 2016.

Order :-

1. Mr. Wakure, learned counsel for petitioner submits that pursuant to tender issued for allotment of block in respect of supply of THR (Take Home Ration) petitioner had applied for Kallam (Rural) Block whereas respondent No. 6 had applied for Osmanabad block. Though respondent No. 6 was not eligible and qualified, tender for Osmanabad was allotted to it. As per the terms and conditions of the tender if any person eligible is for particular block then person who had applied for any other block from the same district can be considered. Learned counsel further submits that respondent No. 6 does not have any balance as on the date of application and as such was not qualified. Said aspect has not been considered.

2. Mr. Kedar, learned counsel for respondent No. 6 submits that on the date of application respondent No. 6 was possessing balance more than Rs. 3,00,000/- (Rupees Three Lakhs) and as such he is qualified.

3. Mr. Patil, learned counsel for respondent No. 4 submits that respondent No. 6 was qualified and after following due process respondent No. 6 was allotted tender.

4. The extract of bank account in respect of respondent No. 6 is placed on record. It shows that as on the relevant date respondent No. 6 had balance of Rs. 3,00,000/- and more. There is subsequent withdrawal of the amount and then in October-2013 again amount of Rs.5,00,000/- had been deposited in the account of respondent No. 6. The petitioner had not applied for Osmanabad block/project, but had applied for Kallam(Rural) block. As respondent No. 6 was found qualified, naturally petitioner, who had not applied for Osmanabad block, certainly could not have been considered.

5. In light of the above, writ petition stands dismissed of. No costs.

Sd/-

[K. K. SONAWANE, J.]

Sd/-

[S. V. GANGAPURWALA, J.]

MTK