

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 5460 OF 2013

CHLOROCEM INDUSTRIES, KOTA
VERSUS
THE SECRETARY WATER SUPPLY AND SANITATION DEPARTMENT, MANTRALAYA,
MUMBAI AND OTHERS

...

Advocate for Petitioner : Mr. Ruturaj C. Patil.
AGP for Respondent No.1 : Mr.A. P. Basarkar.
Advocate for Respondent Nos.2: Mr. Vijay Sharma.
Respondent No.3 Served.

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

DATE : 1st March, 2016.

PER COURT:

1] Mr. Patil, learned counsel for the petitioner submits that pursuant to the tender floated by the respondent, petitioner had filled in the tender. The same was illegally rejected on the ground that the previous experience of the petitioner is unsatisfactory. Learned counsel submits that the petitioner had filled in the tender only in the year 2006. There is no way respondent could have said that the previous experience of the petitioner is unsatisfactory. According to learned counsel, said allegation is illegal. In the year 2006, the petitioner had filled in the tender floated by the respondent nos. 2 and 3. The rates of the petitioner were lowest. Still the respondent called the petitioner for negotiations. Petitioner replied that the rates quoted by the petitioner are competitive and cannot be reduced. Probably, because of the same, respondents have got annoyed and have passed the impugned order. Petitioner would be debarred from participating in further tenders also because of the said observation.

2] The tender was for the supply of Bleaching Powder for one year i.e. 2012-13. Said period is over almost 1 and half year back. The petition would remain only academic. The reason mentioned was limited to the extent of the said tender. Same cannot in any way be construed as operating for all times to come.

3] Considering the above, writ petition is disposed of. No costs.

[A.M. BADAR]
JUDGE

[S.V. GANGAPURWALA]
JUDGE

grt/-