

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

WRIT PETITION NO. 2213 OF 2016

Chandra Coal Pvt. Ltd., thr. Its Director Shailendra Kailashchandra Agarwal

-vs-

Western Coalfields Ltd., thr.its CMD, Nagpur and another

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr.R.S.Renu, counsel for the petitioner.
Mr.A.M.Ghare, counsel for the respondents.

CORAM : SMT. VASANTI A. NAIK &
V. M. DESHPANDE, JJ.

DATE : 11.04.2016.

By this writ petition, the petitioner has sought a direction against the respondents to permit the petitioner to participate in the e-tender notice.

The e-tender was floated by the Western Coalfields Ltd. and the same was to be filled online. It is the case of the petitioner that the petitioner could not fill the tender, as there was some problem in uploading of the tender on the side of the Western Coalfields Ltd. In this background, the petitioner has sought a direction to the respondents to permit the petitioner to participate in the tender process.

Shri Ghare, the learned counsel for the respondent-Western Coalfields Ltd., states that though the petition is liable to be dismissed on merits, inasmuch as there was no fault on the part of either the Western Coalfields Ltd. or the agency hired by it, i.e. N.C.I. and the tender of the petitioner may not have been uploaded in view of the fault on the part of the petitioner, it would not be necessary to consider the issue involved in this case, as after the bids were received, the Western Coalfields Ltd. has taken a decision to cancel the tender.

In view of the statement made by the learned counsel for the respondent-Western Coalfields Ltd. pertaining to the cancellation of the tender process, the cause of action for filing this writ petition would not survive. The writ petition is disposed of with no order as to costs.

JUDGE

JUDGE

KHUNTE