

IN THE COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO. 2842/ 2016

(Bhandara Labour Cooperative Societies Federation vs. The State of Maharashtra and others)

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

Court's or Judge's order

.....
Mr. P V.Ghare, Advocate for the petitioner
Mr. Vishal Gangane, Assistant Government Pleader
for Respondent No.1

CORAM : **SMT. VASANTI A NAIK &**
MRS. SWAPNA JOSHI, JJ.
DATED : **1st August, 2016**

Heard.

By this Writ Petition, the petitioner challenges the tender notice, dated 5.5.2016, published by Gram Panchayat, Nimgaon, Panchayat Samiti, Lakhani, inviting tenders for supply of raw material for construction.

It is stated on behalf of the petitioner that the tender notice is liable to be quashed and set aside as, while floating the said tender, the Gram Panchayat has not adhered to the policy in the Government Resolution, dated 24th April 2015, that provides for grant of contract to Labour Cooperative Societies, Educated Unemployed Engineers and qualified registered contractors in the ratio of 33: 33: 34. It is stated that the Gram Panchayat has not floated the tender asking the aforesaid three categories to apply in pursuance of

the same.

On a perusal of the tender notice as also the Government Resolution, dated 24th April 2015, we find that the ratio of 33: 33: 34 *vis-a-vis* Labour Cooperative Societies, Educated Unemployed Engineers and qualified registered contractors, is required to be maintained only while awarding the contract of construction work. By the impugned tender notice, the Gram Panchayat has not invited tenders for construction work and has only sought the bids for purchase of material that is required for construction work. Since the Government Resolution is not applicable to the case in hand, it is necessary to dismiss the Writ Petition. As such, we dismiss the Writ Petition with no order as to costs.

JUDGE

JUDGE

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C E R T I F I C A T E

“ I certify that this Judgment/Order uploaded is a true
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