

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

WRIT PETITION NO. 4261 OF 2016.

(M/S. SIDDHI VINAYAK TRANSPORT CORPORATION..VS..MAH. STATE POWER GENERATION CO.
LTD..)

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

Court's or Judge's orders

Shri Akshay Naik Advocate for Petitioners.
Shri M.P.Khajanchi, Advocate for Respondents.

CORAM : B.P.DHARMADHIKARI AND
KUM. INDIRA JAIN, JJ.

DATED : DECEMBER 01, 2016.

1. Perused orders of this Court dated 27th July, 2016 and reply placed on record by the respondents, particularly paragraph Nos. 6 and 9 thereof.

2. The petitioners have no objection if respondents proceed further as mentioned in paragraph Nos. 6 and 9 of the reply affidavit. However, the learned counsel for the petitioners states that qualification that rates must be found competitive and beneficial to the respondents, introduced in paragraph 9 of the affidavit is contrary to the contract conditions. The learned counsel for the respondents disputes this.

3. Contingency to consider that aspect will arise when the reverse bidding process reaches its end.

4. In this situation, at this stage we are not inclined to pronounce upon the validity or otherwise thereof.

5. Keeping all rival contentions about it open and with liberty to the respondents to proceed further with reverse bidding as per clause 6 of the Notice Inviting Tender (NIT) No. 20348 (Annexure-B with petition), we **dispose of** the petition.

No costs.

JUDGE

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