

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 4711 OF 2017

M/s Parshwa Associates

Petitioner

Versus

Nanded-Waghala City
Municipal Corporation
& others

Respondents

Mr. A.A. Nimbalkar, advocate holding for Mr. P.B. Kadam, advocate
for petitioner.

Mr. R.K. Ingole, advocate for respondents 1 to 3.

CORAM : R.M.BORDE &

SMT. VIBHA KANKANWADI, JJ.

DATE : 22nd SEPTEMBER, 2017

PER COURT:

1. Petitioner is objecting to the decision of the respondent holding him disqualified to participate in the tender process. It is noticed that the work order has already been issued in favour of respondents 4 and 5 some six months back and majority of tender period has lapsed.

2. The tender is in respect of supply of chemicals for a duration of one year out of which, fifty percent of the period has already come to an end. Considering this aspect, we are not inclined to scrutinize the contentions raised by petitioner in the instant petition. Petitioner however, makes grievance in respect of decision taken by the Standing Committee of the Municipal Corporation,

Nanded on 16.06.2016. In paragraph no. 10 of the affidavit-in-reply, it is recorded thus :

10. It is most respectfully submitted that, considering abovementioned irregularities committed by the petitioner, the Standing Committee of the present respondents have resolved to stop taking supply of chemicals/Alum from the present petitioner on 16.06.2016. Annexed hereto and marked as Exhibit "R-3" is a copy of said Resolution dated 16.06.2016 passed by the Standing Committee.

3. Petitioner apprehends that as a result of adoption of resolution by the Standing Committee as referred to above, he would be prohibited from participating in the tender process in future and the said decision may have effect of black listing him. Learned counsel appearing for respondent-Corporation informs on instructions that the apprehension expressed by petitioner is groundless and that he would be permitted to participate in future tender process that would be initiated by the Municipal Corporation and that, the decision of the Standing Committee dated 16.06.2016 shall not be construed as a bar.

4. In view of statement made by learned counsel for respondent - Municipal Corporation, the grievance raised by petitioner in the instant petition stands satisfied. Writ petition is accordingly disposed of.

SMT. VIBHA KANKANWADI
JUDGE

R.M.BORDE
JUDGE