

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

945 WRIT PETITION NO. 6491 OF 2017

Kiran s/o Jagannath Katale **... Petitioner**
Age 37 years,
Occu: Business/Agri
R/o Chandgiri Post Jkhuri Tq.
nashik Dist. Nashik

VERSUS

1. The State of Maharashtra
Through the Principal
Secretary,
Revenue and Forest Department
Mantralaya, Mumbai 32
2. The Collector, Ahmednagar
3. The Additional Collector, **... Respondents.**
Collector Office, Ahmednagar
4. The Tahsildar, Kopargaon

Advocate for Petitioner : Mr. Dhage Hemant U
AGP for Respondents State: Mr. A. R. Kale

**CORAM : R. M. BORDE &
K. L. WADANE, JJ.**

DATE : 5th May, 2017

JUDGMENT (Per R. M. Borde, J.):

1. Rule. Rule made returnable forthwith.
2. With the consent of the parties, taken up for
final disposal.

3. The petitioner is objecting to the notice issued by the Additional Collector, Ahmednagar on 03.05.2017 calling upon the petitioner as to why the amount deposited by him towards 3/4th amount i.e. Rs.35,67,615/- shall not be forfeited on account of delay of two days caused in depositing the amount.

4. The petitioner has already deposited 1/4th amount of Bid value amounting to Rs.11,89,205/- on 29.03.2017. Whereas, he has deposited further amount of Rs.35,67,615/- on 10.04.2017. The petitioner has thus deposited the total bid amount with the respondents. Delay of two days caused in depositing the amount can be condoned in view of the peculiar facts of this case. The respondents are thus directed not to forfeit the amount and the notice dated 03.5.2017 issued by the Additional Commissioner, Ahmednagar stands quashed and set aside. The petitioner shall be permitted to continue with the contract.

5. This order shall not be considered to be a

precedent to be followed in other matter.

6. Rule is made absolute, accordingly. In the facts and circumstances of the case, there shall be no order as to costs.

(K. L. WADANE, J.)

(R. M. BORDE, J.)

JPC