

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.13074 OF 2017

Dhananjay S/o Kisan Kamble

Petitioner

Versus

The State of Maharashtra and others

Respondents

Mr.Devdatt P. Palodkar advocate for the petitioner

Mr.S.B. Joshi, AGP for Respondent No.1

Mr. S.S. Tope, advocate for respondent Nos.2 to 4

CORAM : **R. M. BORDE & VIBHA KANKANWADI, JJ**

(Date: December 5th, 2017)

PER COURT :-

1 The Municipal Corporation has tendered an affidavit today and in paragraph No.4 of the affidavit, it is recoded as below:-

"04 I say that, after recalling of the tenders mentioned at Sr.No.4 and Sr.No.6 of the above mentioned table, the Corporation will allow the petitioner and other similarly situated contractors, who could meet the requirement of making available two ready mix plant (batch mix type) 30 cubic meters per hour capacity, to participate in the recalled tender process and to lodge the tender offer as directed by this Honourable Court by way of an interim order dated 15.11.2017 in present writ petition. "

2 Since the Municipal Corporation has agreed to permit the contractors who could meet the requirement of making available

two ready mix plant (batch mix type) 30 cubic meters per hour capacity, to participate in the tender process, the grievance raised by the petitioner in the instant petition stands redressed. It is needless to mention that, the tender offers given by the petitioner and other similarly placed contractors would be considered on its own merits and shall be processed by the Municipal Corporation. So far as the tenders received in respect of item Nos.4 and 6 are concerned, since the bids received by the Corporation are less than requisite number of offers prescribed under the directives issued by the Central Vigilance Commissioner, the Corporation proposes to recall tenders and assured to adopt prescribed procedure.

3 It would be open for the petitioner to take steps as permissible.

4 In view of above, the writ petition is disposed of.

(VIBHA KANKANWADI, J.)

(R. M. BORDE, J)