

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

PUBLIC INTEREST LITIGATION NO. 40 of 2017

Mr. Nehal s/o. Pravin Chandra Tanna Petitioner

Versus

The State of Maharashtra and Ors. Respondents.

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Ms. Devki R. Sahu i/b Mr. Ashok M. Saraogi for the Petitioner.

Mr. Vishal Ghoshalkar for the Respondent No.2.

Dr. Milind Sathe, Senior Advocate a/w. P.M. Mokashi for Respondent No. 3.

Mr. P.G. Sawant, AGP for the State.

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**CORAM: DR. MANJULA CHELLUR, CJ. &
M.S. SONAK, J.**

DATE : 16TH NOVEMBER, 2017.

P.C. :

. Heard the learned counsel for the parties.

2. The challenge in this petition which is by way of Public Interest Litigation is to the award of tender and issue of work order to Respondent No. 3. Work order was issued on 7th November, 2014 and this petition has been lodged sometime in the year 2016. There is no explanation for inordinate delay.

3. That apart, the unsuccessful bidder has also instituted Writ

Petition No. 3653 of 2014 challenging the very same order dated 7th November, 2014. The said Writ Petition was admitted on 24th April, 2017, but no interim order was granted. This Court clarified that the work which is carried out by Respondent No. 3 shall be subject to final outcome of the Petition. Even all the payments made to Respondent No.3 shall be subject to final outcome of the said petition.

4. The Petitioner has also not explained his own credentials so as to maintain the present PIL at this point of time.

5. For the above said reasons, we do not think it appropriate to entertain the present PIL and the same is accordingly dismissed. There shall, however, be no order as to costs.

(M.S. SONAK, J.)

(CHIEF JUSTICE)