

psv

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**WRIT PETITION (L.) NO.2913 OF 2017
ALONGWITH
CHAMBER SUMMONS (L.) NO.393 OF 2017
ALONGWITH
CHAMBER SUMMONS (L.) NO.394 OF 2017
ALONGWITH
WRIT PETITION (L.) NO.2914 OF 2017**

Jiger Traders

..Petitioner

Vs.

Joint Secretary and Director of Civil
Supplies & Ors.

..Respondents

Mr.Shivaji A. Masal for Petitioner.

Mr.Manish Upadhyay, AGP, for Respondent Nos.1 to 5 with
Mr.Kunal Bhanaghe, AGP.

**CORAM : SHANTANU S. KEMKAR AND
G.S. KULKARNI, JJ.**

DATE : 2nd NOVEMBER 2017

P.C.:

After arguing for some time, the learned Counsel for the petitioner seeks leave to withdraw the writ petitions with liberty to the petitioner to participate in the fresh tender process. He submits that the respondents be directed to consider the petitioner's grievance in respect to the rejection of its present bid on the ground that the other two tenderers are closely related to the petitioner.

2. According to the petitioner, this ground for rejection is unsustainable and the petitioner may be permitted to submit its say in regard to the said ground and the respondent, while considering the petitioner's bid alongwith the bids of others as may be received, be directed to take into consideration the petitioner's representation as may be filed by the petitioner along with the bid documents.

3. With the aforesaid liberty to the petitioner to participate in the fresh tender process, we direct the respondents to consider the petitioner's representation to the effect that in case petitioner's any relative/s submit a tender, that cannot be made a ground to reject the petitioner's tender as according to the petitioner they are independent legal entity.

4. With the aforesaid directions, the petitions are allowed to be withdrawn. All contentions of the parties are kept open.

5. In view of the aforesaid order passed in Writ Petition (L.) No.2913 of 2017 and Writ Petition (L.) No.2914 of 2017, Chamber Summons (L.) Nos.393 of 2017 and 394 of 2017 do not survive and stand disposed of.

[G.S. KULKARNI, J.]

[SHANTANU S. KEMKAR, J.]