

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR.

P.I.I. No.109 of 2016

(Nilesh Mahendra Jamkar .vs. State and Ors.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders

Court's or Judge's orders.

Mr.Alok Daga, Advocate for Petitioner.
Mr.M.J.Khan, AGP for Respondent No.1.
Mr.Nilesh Fulzele, Advocate for Respondent No.2.
Mr.Virat Mishra, Advocate for Respondent No.3.
Mr.R.S.Kalangiware, Advocate for Respondent No.4.
Mr.S.R.Bhongade, Advocate for Respondent no.5.

CORAM : B.R.GAVAI AND
KUM. INDIRA JAIN, JJ.

DATE : 16.3.2017.

Heard.

The petitioner has approached this
Court with two fold grievances :

- 1) That the books supplied by one
M/s.Shagun Offset Pvt. Ltd. were of inferior
quality and they were thrust upon the
students.
- 2) That the proprietor of respondent no.5
is mother of respondent no.4 and therefore,
respondent no.2 could not have purchased
the books from respondent no.5.

Insofar as the first grievance is
concerned, respondent no.2 in it's affidavit

has admitted that the books supplied by M/s.Shagun Offset Pvt. Ltd. were found to be of inferior quality and they have been withdrawn from the supply system. It is, therefore, submitted that the contention of the petitioner that the said books were thrust upon the students is without merits. It is further submitted that legal steps are being taken against the said M/s.Shagun Offset Pvt. Ltd. for recovery of the amount on account of supply of books of inferior quality.

Insofar as the second issue is concerned, undisputedly, the books are purchased after following the entire tender process. Merely because respondent no.4 happens to be an employee of respondent no.2, it cannot be a ground for a firm of which his mother is proprietor to participate in the tender process. It is not even the case of the petitioner that the goods supplied by respondent no.5 were of inferior quality or respondent no.2 has given any undue favour to respondent no.5.

In that view of the matter, we find no merit in the present Public Interest Litigation. Hence, the same is dismissed.

No order as to costs.

JUDGE

JUDGE