

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

902 WRIT PETITION NO. 3686 OF 2018

SHELLINO BUILDCON THOROUGH PROPRIETOR NILESH RAMDAS PATIL AND ANR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioners : Mr. Dhananjay B. Thoke
AGP for Respondents: Mr. S.B. Pulkundwar

**CORAM : R.M. BORDE &
K.K. SONAWANE, JJ.**

DATE : 18th April, 2018.

PER COURT:-

The petitioner is objecting to the tender notice issued by the Rural Development Department in respect of construction of Rural Roads. The petitioner contends that clubbing of different works of construction which are not connected is not permissible as per the policy laid down by the State Government. The petitioner objects to the clubbing of works of construction of Roads at Sr. Nos. 4,10,11,12,13,16,19,20 and 21, enumerated in the tender notice.

2] Counsel for respondents contend that the guidelines formulated under the Pradhan Mantri Gram Sadak Yojana are applicable in respect of works undertaken by the State under the Mukhya Mantri Gram Sadak Yojana. A policy decision has been adopted in that regard by the State on 28.10.2015. The Operation Manual prepared under the Pradhan Mantri Gram Sadak Yojna and more particularly, clause 21.4 and 6.8, permits clubbing of different works of construction of road. It is provided that serveral roads in block, or in adjacent blocks can be combined into packages of value of Rs. 1.5 Crores. It is further provided that abstract of cost shall be given in forms F-1, F2-A and F-2B (Annexure 7.1). It is the contention of the respondents that clubbing of works is in respect of adjacent blocks and is permissible

under the Operation Manual provided under the Pradhan Mantri Gram Sadak Yojana.

3] Counsel for petitioners contend that abstract of costs has not been issued by the respondent Department in Form F, F2-A and F2-B.

4] It would not be appropriate to investigate into the disputed questions raised by the petitioners. It would be open for the petitioner to raise appropriate contentions in respect of the procedural aspects before the appropriate authority by raising a grievance. In exercise of writ jurisdiction under Article 226 of the Constitution of India, no interference is called for. Petition being devoid of substance stands rejected.

[K.K.SONAWANE, J]

[R.M. BORDE, J]

grt/-