

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

916 WRIT PETITION NO. 4047 OF 2018

PRAVIN NAGNATH PALDEWAR GOVERNMENT CONTRACTOR
THROUGH PROPRIETOR P N PALDEWAR
VERSUS
THE REGIONAL MANAGER CENTRAL WAREHOUSING CORPORATION MUMBAI

...

Advocate for Petitioner : Mr. Sushant C.Yeramwar
Advocate for respondent sole : Mr. P.P. Uttarwar.

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

DATE : 26th April, 2018.

PER COURT:-

1] The petitioner is objecting to the tender condition which prescribes experience during preceding 5 years, and it is further provided that, a contractor should have executed works of the value of at least 25% of the total estimated value of the contract to be awarded in one single contract or 50% of the total estimated value of the contract to be awarded in different contracts.

2] The petitioner submits that prescribing condition as regards acquisition of experience is unreasonable. The petitioner further contends that he has experience of preceding 20 years, in executing similar works but he does not fulfill the requirement in respect of having executed work of the value of 25% of the total estimated value of the contract to be awarded in one single transaction.

3] Merely, because the tender condition does not suit the present petitioner, would not render the said condition unreasonable. It is for the employer to provide for the terms and conditions of the contract. In

exercise of extraordinary jurisdiction under article 226 of the Constitution of India, no interference is called for, in the matter of prescription of eligibility criteria in the tender notice by the employer. Writ petition is devoid of substance, hence stands rejected.

[K.K.SONAWANE, J]

[R.M. BORDE, J]

grt/-