

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

WRIT PETITION NO.7585 OF 2016

M/s. P.D. Deshmukh & Company,
Through its Partner,
Mr. Tushar Prakashrao Deshmukh,
Age-34 years, Occu:Business,
R/o-8, Krushna Deshmukh Nagar,
Chalisingaon, Tq-Chalisingaon,
Dist-Jalgaon.

...PETITIONER

VERSUS

- 1) The State of Maharashtra,
- 2) Tapi Irrigation Development
Corporation, Jalgaon,
- 3) Superintending Engineer of
Tapi Irrigation Development
Corporation, Jalgaon,
- 4) M.S. Industries,
Through its Partner,
Prakash K. Baviskar.

...RESPONDENTS

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Mr.S.P. Brahme Advocate for Petitioner.
Mr.S.S. Dande, A.G.P. for Respondent No.1.
Mr. R.N. Dhorde, Senior Counsel i/b. Mr.
V.R. Dhorde Advocate for Respondent
Nos.2 and 3.
Mr.C.T. Jadhav Advocate for Respondent No.4.

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**CORAM: S.S. SHINDE AND
SUNIL K. KOTWAL, JJ.**

DATE : 4TH JANUARY, 2018

ORDER :

1. This Petition takes exception to the acceptance of bid of Respondent No.4 in Tender Process No. 2/2016-2017.

2. Pursuant to notices issued to the Respondents, Respondent No.4 has filed the affidavit in reply. Learned counsel appearing for Respondent Nos. 2 and 3 has also tendered across the Bar additional affidavit. The same is taken on record.

3. Upon perusal of the averments in the reply filed by the Respondents, it appears that subsequent to acceptance of bid of Respondent No.4, Respondent No.4 has completed the work pursuant to work order which was issued in his favour after filing of this Writ Petition. In that view of the matter, in our opinion the

adjudication of this Writ Petition will be the exercise in futility. Hence the Writ Petition stands disposed of.

[SUNIL K. KOTWAL, J.]

asb/JAN18

[S.S. SHINDE, J.]