

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD**

WRIT PETITION NO.12409 OF 2017

Sajid Khan Nisar Khan

.. Petitioner

Versus

The State of Maharashtra and ors.

.. Respondents

Mr B.A. Darak, Advocate for petitioner

Mr K.N. Lokhande, A.G.P. for respondents no.1 to 3

**CORAM : S.V. GANGAPURWALA &
A.M. DHAVAL, JJ**

DATE : 10th April 2018

PER COURT

1. Mr Darak, learned Counsel for the petitioner submits that resolution was passed by the Municipal Council, Kinwat. Administrative sanction was given to the resolution and even the on line tenders were invited for the work of High-mast, mini-mast and LED. In spite of all these steps being taken diligently and in accordance with law, the Honourable Minister stayed the process of e-tender. The same is illegal. The public work is stalled. The verification plant is required to be installed and the same is also stalled by the Honourable Minister.

2. The learned A.G.P. submits that without the subject being on the agenda with regard to the work for high-mast, mini-mast and LED, the resolution was passed. The same is illegal. No procedure is followed. In view of that, the enquiry was conducted and the report will be submitted to the Collector. The same would be submitted to the Honourable Minister.

3. The process of e-tender was much prior to September 2017. Much time has lapsed. Even, the report has been submitted on 7.12.2017 to the Collector by the Sub-Divisional Officer. The Honourable Minister/Department shall take decision upon the same expeditiously.

4. The authority shall consider the viability and feasibility of the report and the work to be done. If there are some irregularities, the same be directed to be corrected and the steps taken accordingly of the work of high-mast, mini-mast and LED, as may be permissible and in accordance with law. The same shall be done expeditiously.

5. Writ Petition is accordingly disposed of. No costs.

(A.M. DHAVAL, J.)

(S.V. GANGAPURWALA, J.)

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