

**IN THE HIGH COURT OF JUDICATURE
AT BOMBAY**

BENCH AT AURANGABAD.

WRIT PETITION NO.520 OF 2018

Vaijnath Sudam Khade
Proprietor ... Petitioner.

Versus

The State of Maharashtra
and others. ... Respondents.

...
Mr.Raghvendra Bhise, advocate holding for
Mr.N.L.Jadhav, advocate for the Petitioner.
Mr.S.B.Pulkundwar, A.G.P. for the State.
...

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

Date : 29.01.2018.

PER COURT :

1. Learned advocate for petitioner submits that Respondent Nos.6 and 7 were not eligible to participate in the tender process of percolation tank Dighol Chibhadi. The tender forms of Respondent Nos.6 and 7 were incomplete. They have not complied with condition No."C", still, their names have been shown in the selection list. The petitioner had submitted oral as well as written

objections, however, the same are not considered and Respondent Nos.6 and 7 are considered as eligible.

2. Though Respondent Nos.6 and 7 had not annexed the relevant documents, they were still erroneously considered as eligible.

3. Learned A.G.P. submits that the work order is already issued to Respondent Nos.6 and 7 on 7.11.2017. The period of tender is only three (3) months. It is submitted that the work has also commenced.

4. The tender period would lapse on 7.2.2018. Major period of tender is over. It appears that even the petitioner had not attached some of the forms, still, was considered in the tender process. Considering the fact that the tender period is coming to an end, no fruitful purpose would be served in considering the matter.

5. The Writ Petition is disposed of. No

costs.

(A.M.DHAVALA, J.)

(S.V.GANGAPURWALA, J.)

asp/office/wp520.18

