

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.3081 OF 2017

Mamanchand s/o SH Chattersain
Jain

...Petitioner

Versus

The State of Maharashtra & Ors.

...Respondents

.....

Mr. Chetan Patil for the Petitioner.

Mr. A.I. Patel, AGP for the Respondent -State.

Mr. M.M. Vashi, Senior Advocate with Ms Aparna Devkar I/b. M/s.
M.P. Vashi and Associates for the Respondent No.3.

Megha
Shridhar
Parab

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**CORAM : RANJIT MORE AND
SMT. ANUJA PRABHUDESSAI, JJ.**

DATED: 18th JULY, 2018.

P.C.:-

The Petitioner by this petition has challenged the order of award of tender in favour of the Respondent No.3. He is also seeking directions to the Respondent Nos.1 and 2 to award the tender in his favour.

2. So far as award of tender in favour of the Respondent No.3 is concerned, Dr. Smita Shrikrishna Jinturkar, Senior Administrative Officer, in the office of Regional Joint Commissioner of Animal Husbandry, Mumbai Region has filed an affidavit dated 11th July,

2018. In paragraph 19 of the said affidavit she has made averments that action is taken against the Respondent No.3 and that he has been debarred from participating in tender process from the said department for one year. In view of the said statement, prayer clause (A) is worked out.

3. The relief claimed in prayer clause (B) viz. direction to the Respondent Nos.1 and 2 to award contract to the Petitioner is concerned, same cannot be granted under Article 226 of the Constitution of India.

4. The Petition is accordingly disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)