

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

WRIT PETITION NO. 6033 of 2018

D.R. Services ... Petitioner

V/s.

Shri Satish Shravge & ors. ... Respondents

Mr. Dinesh P. Adsule for the petitioner.

Ms. Kavita N. Solunke, AGP for respondents 3 and 5.

Mr. Kishore Patil, Executive Engineer, PWD multistory Division,
present.

***CORAM : NARESH H. PATIL AND
G.S. KULKARNI, JJ.***

Lata
Sunil
Panjwani

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23rd July, 2018.

P.C.

An e-tender was invited for Toll Collection for Kamothe and Kopra Toll station on Sion – Panvel Highway. The petitioner's tender was not accepted. According to respondents, the petitioner failed to upload certain necessary documents which were required for

considering valid tender form. Alongwith petitioner there are 2 other participants (total 3 participants). The learned Counsel appearing for petitioner and the learned AGP states that tenders are yet to be opened.

2. In the meanwhile, certain developments have taken place. On instructions, the learned AGP submits that fresh tender notice in respect of same subject matter will be published by Friday.

3. We have perused the record placed before us, considered the affidavit-in-reply.

4. In the facts of the case, we are not inclined to interfere. Even otherwise the respondents have decided to issue a fresh tender. The petitioner has also been informed that he is entitled to participate in the tender process.

5. We clarify that on respondent's issuing a fresh tender as stated

above, the petitioner herein is entitled to participate in the tender process.

6. The tender process shall be completed in accordance with the programme schedule as mentioned in the tender.

7. It is clarified that we have not addressed the issue in respect of allegations made by the petitioner regarding favouritism. All such contentions are kept open. After the applications are received against the fresh tender, needless to mention that respondents would take necessary steps without any further delay.

8. The learned Counsel submits that at present a person who has been temporarily nominated by the respondents is collecting toll charges, therefore, it is necessary in the interest of revenue of the State and larger public interest that person duly selected by following required procedure is awarded the contract.

9. With aforesaid directions, Writ Petition stands disposed of.
10. All concerned to act on an authenticated copy of the order.

(G.S.KULKARNI, J)

(NARESH H. PATIL, J.)

L.S. Panjwani, P.S.