

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

WRIT PETITION NO.3571 OF 2019
HARI OM MULTI SERVICES THROUGH PROPRIETOR LIMBAJI TUKARAM
NAIK
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

Mr.Pravin N. Kalani, Advocate for the petitioner
Smt.M.A.Deshpande, AGP for the respondents/State

**CORAM : PRASANNA B. VARALE &
NITIN.W.SAMBRE, JJ.**

DATED : 14.03.2019

P.C. :-

. The tender conditions are not fulfilled by the petitioner on the ground of unreasonableness. According to the petitioner small contractors like him cannot participate as the minimum qualifying turnover should be of Rs.2,77,07,428/- for the preceding three years.

2. The law on the issue of the validity of the tender condition is well settled in the matter of Poddar Steel Corporation vs Ganesh Engineering Works and others (1991)3 Supreme Court Cases 273 and Tata Cellular Vs Union of India (1994) 6 Supreme Court Cases 651. This Court in extra ordinary jurisdiction cannot interfere in the tender conditions unless it is demonstrated that there are illegalities with an intention to favour a

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particular party. That being so, no case is made out for interference.

3. Accordingly, the petition is disposed of.

[NITIN.W.SAMBRE, J.]

[PRASANNA B. VARALE, J.]

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