

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.6912 OF 2019

Darshan Constructions

Petitioner

Versus

The State of Maharashtra & others

Respondents

Mr.K.B.Borde, advocate for the petitioner.

Mr.K.B.Jadhavar, AGP for Respondents.

**CORAM : S.V.GANGAPURWALA &
MANGESH S. PATIL, JJ.
DATE : 26th June, 2019**

PER COURT:

We have heard Mr.Borde, learned Counsel for the petitioner.

2 The learned Counsel submits that the petitioner was the lowest bidder and his bid was also accepted. The petitioner was also called for negotiations by the Superintending Engineer. However, in the midst, re-tendering has been done. The petitioner is, thus, aggrieved by the same.

3 An affidavit-in-reply is filed on behalf of the Respondents stating that the petitioner was not ready to negotiate further on the ground that the offer is not financially viable and profitable to him. As such, respondents resorted to re-tendering. Even in the re-tendering, bids were not received and the re-tender notice has been recalled.

4 Admittedly, no work order is issued in favour of the petitioner. No concluded contract came in existence. The rights of the petitioner were not infringed. In the light of the same, no relief can be granted in favour of the petitioner. However, if the petitioner's proposal for negotiations is pending with the authorities, it is for the authorities to take decision as to whether to consider the same or not.

5 Writ Petition is disposed of. No costs.

MANGESH S. PATIL
JUDGE

S.V.GANGAPURWALA
JUDGE

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