

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

WRIT PETITION NO. 6750 OF 2019

Rekha Nandu Sapate .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Shiakh Mobin H., Advocate for the Petitioner.

Shri S. B. Yawalkar, Addl.G.P. for the Respondent No. 1.

**CORAM : S. V. GANGAPURWALA AND
MANGESH S. PATIL, JJ.**

DATE : 11TH JUNE, 2019.

FINAL ORDER :

. Mr. Shaikh, the learned advocate for the petitioner submits that, the respondents be directed to supply the physical application form by accepting requisite fees as per scheme for allotment of plots published on 07.03.2019 in respect of final Plot No. 191 situated at Savedi Ahmednagar and permit the applicant/petitioner to participate in the said scheme. The learned counsel submits that, the petitioner is a widow and diabetic patient and could not notice the advertisement. The petitioner has given representation also. The auction of the plot is to take place today. The learned counsel submits that, initially the petitioner's bid was accepted, however, subsequently auction was cancelled.

2. The learned Additional Government Pleader accepts notice for the respondent No. 1.

3. The proclamation prescribes schedule for applying for the allotment of the plot. The tenders were to be accepted on 28th March, 2019 from 10.00 a.m. to 1.00 p.m. and they were to be opened on 28.03.2019 at 2.00 p.m., however, it seems that tenders were not opened and the dates have been changed. The said tenders are to be opened today.

4. Be that as it may, we cannot change the terms of tender. It is for the authorities to prescribe the dates for opening of the tender. It is a matter of fact that petitioner had not filled in tender during the period prescribed under proclamation. It would not be possible to accept the contention of the petitioner directing the respondents to issue the tender form to the petitioner and accept the tender today, when today is date for opening of bids.

5. In the light of the above, no case for interference in the writ jurisdiction of this Court under Article 226 of the Constitution of India is made out. The writ petition is disposed of. No costs.

[MANGESH S. PATIL, J.]

[S. V. GANGAPURWALA, J.]

bsb/June 19