

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

WRIT PETITION NO.8606 OF 2019

Shri Ajubai Electrical Sushikshit  
Berojgar Sahakari Seva Sanstha  
Maryadit Aurangabad, through its  
Chairman

.. Petitioner

Versus

Maharashtra State Electricity  
Distribution Company Ltd.,  
through Superintending Engineer  
and anr.

.. Respondents

Mr K.C. Khanapure, Advocate for petitioner  
Mr A.S. Bajaj, Advocate for respondent no.1  
Mr Balaji Lipane, Advocate for respondent no.2

- WITH -

CIVIL APPLICATION NO.11885 OF 2019  
IN  
WRIT PETITION NO.8606 OF 2019

Maharashtra State Electricity  
Distribution Company Ltd.,  
through Superintending Engineer

..Applicant

Versus

Shri Ajubai Electrical Sushikshit  
Berojgar Sahakari Seva Sanstha  
Maryadit Aurangabad, through its  
Superintending Engineer

..Respondent

Mr A.S. Bajaj, Advocate for applicant  
Mr K.C. Khanapure, Advocate for petitioner in W.P.  
Mr Balaji Lipane, Advocate for respondent no.2 in W.P.

**CORAM : S.V. GANGAPURWALA AND  
ANIL S. KILOR, JJ.**

**DATE : 11.10.2019**

**ORAL ORDER :**

1. We have heard learned Counsel for the petitioner and the respondents.
2. The present writ petition is filed seeking directions against the respondents to allow the petitioner to participate in the process of tender without insisting for the payment of earnest money deposit on the ground that as per Government Resolutions dated 17.8.2002 and 31.7.2003, the petitioner and the association of elected unemployed have exempted from payment of earnest money deposit.
3. Pursuant to the filing of the writ petition, the respondents have opened the tender of the petitioner also along with the other tenders.
4. The Civil Application is filed by the respondent stating that the tenders are opened and the original writ petitioner is not the lowest.
5. As the tender of the petitioner is opened and considered along with the other bidders, the purpose of writ petition stood fructified. The grievance of the petitioner does not subsist.
6. Learned Counsel for the petitioner submits that the petitioner is assailing allotment of tender to the success bidder. The petitioner may assail the same in accordance with law.

7. In view of that Writ Petition stands disposed of. No costs. Civil Application No.11885 of 2019 also disposed of.

**( ANIL S. KILOR, J.)**

**( S.V. GANGAPURWALA, J.)**

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