

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
52 WRIT PETITION NO.8653 OF 2019**

YASH DIGITAL GRAPHICS PARBHANI THROUGH ITS
PROPRIETOR ARUN VIJAYKANT TAK ..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER ..RESPONDENTS

...

Mr. Pravin N. Kalani, Advocate for the Petitioner.
Mr. V. M. Kagne, AGP for Respondents-State.

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

DATED : 21st AUGUST, 2019.

PER COURT:-

1. Mr. Kalani, learned counsel submits that the petitioner was given contract by the Municipal Corporation for erection of hoardings and the same is subsisting till 31.08.2019. However, on 08.07.2019 fresh tender has been issued and the hoardings installed by the petitioners were removed on 07.07.2019 without notice to the petitioner. The same is illegal. The respondents have also not decided representation. The respondents be directed to erect / install the 90 Hoardings / Banners / Flex Boards belongs to the petitioner to its original place.

2. According to the contention of the petitioner, the period of tender is upto 31.08.2019. The same would come to an end within 9

days

3. In a way the petitioner alleges the breach of contract on the part of the Respondent-Municipal Corporation. The petitioner can move for damages, in case its rights are violated and the loss is caused to it.

4. With these observations, writ petition is disposed of. No costs.

(MANGESH S. PATIL)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

Devendra/August-19