

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

**WRIT PETITION NO. 10757 OF 2018**

M/s Patil Construction and Infrastructure  
Ltd. Through Authorized Officer  
Suryakant Dasrao Patil .. Petitioner

**Versus**

The State of Maharashtra and others .. Respondents

Shri Ashwin V. Sakolkar, Advocate h/f Shri V. G. Sakolkar,  
Advocate for the Petitioner.

Shri A. R. Kale, A.G.P. for Respondent Nos. 1 to 3.

**CORAM : S. V. GANGAPURWALA AND  
A. M. DHAVAL, JJ.**

**DATE : 12TH MARCH, 2019.**

**FINAL ORDER :**

. Mr. Sakolkar, the learned counsel for the petitioner submits that, the issue involved in the present writ petition is similar to the issue involved in Writ Petition No. 10775 of 2018.

2. The State has filed affidavit in reply. Para 11 of the affidavit in reply reads thus :

“11) I say and submit that, the claim of the petitioner for increase in tender cost on account of imposition of 12% GST with effect

from 01.07.2017 I. e. midway through the two works in question with due consideration to the fact that 5% VAT was only liable at the time of the over quoted by the petitioner; is under consideration of the State Government as is evidence from the circular issued by the State Government on 19.08.2017."

3. As grievance of the petitioner is under active consideration of the State Government, we are not required to consider the matter on merits. The respondent No. 3 shall abide by the statement made in para No. 11 of the affidavit in reply and shall take decision expeditiously and preferably within a period of four (04) months from today. The writ petition is disposed of. No costs.

**[A. M. DHAVAL, J.]**

**[S. V. GANGAPURWALA, J.]**

*bsb / March 19*