

Shephali

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 3041 OF 2019**

Shri Sant Rohitdas Charmodyog Sanshodhan
Vikas & Prashikshan Sanstha, through the
Secretary, SS Waghmare ...Petitioner
Versus
The State of Maharashtra mRRThrough the
Principal Secretary & Ors ...Respondents

**Mr SM Gorwadkar, Senior Advocate, with Tushar N Sonawane for
the Petitioner.**

Ms RA Salunkhe, AGP, for Respondents Nos. 1 & 6-State.

**Mr AG Damle, Senior Advocate, with GH Keluskar, for
Respondents Nos. 2 to 4.**

Mr JG Ardwad (Reddy), for Respondent No. 5.

**CORAM: S. C. DHARMADHIKARI &
G.S. PATEL, JJ**

DATED: 7th June 2019

PC:-

1. After we have heard this matter for some time but expressed our disinclination to grant any relief in writ jurisdiction, we enquired from Mr Damle, learned senior counsel representing and appearing for the Pimpri-Chinchwad Municipal Corporation, as to whether that Municipal Corporation would place a purchase order on the 5th

Respondent Corporation for supply of black shoes, white shoes and socks. On instructions, Mr Damle stated that in the event administrative approvals and budgetary sanctions are granted, the Municipal Corporation will place a firm order with the 5th Respondent Corporation for supply of these shoes and socks. We expect this is to be stated on affidavit as an undertaking given to this Court.

2. This statement is in answer to the Court's query that since there are stocks of shoes and socks lying and available with the Petitioner, the supply contract awarded to the 5th Respondent would be fulfilled after the products manufactured by the Petitioner are supplied to the 5th Respondent for onward journey or delivery to schools within the jurisdiction of the Pimpri-Chinchwad Municipal Corporation. These stocks then can be utilised provided the necessary approvals and sanctions are granted.

3. Beyond that, we do not think that in writ jurisdiction we can entertain the grievance of the Petitioner. Once the Municipal Corporation has said that it will procure the materials through the

5th Respondent, which can be supplied to the 5th Respondent by the Petitioner, the Petitioner's grievance will not survive.

4. The Writ Petition is therefore disposed of. The undertaking mentioned above to be filed within two weeks from today.

(G. S. PATEL, J)

(S. C. DHARMADHIKARI, J)