

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION (ST) NO.14501 OF 2019

Monali Vinod Kolhe and Ors. ... Petitioners

Vs

**State of Maharashtra through its
Principal Secretary, School Education
and Sports Department and Ors. ... Respondents**

Mr.T.D.Deshmukh for the Petitioners.

Mr.S.R.Nargolkar, Special Counsel a/w
B.V. Samant, AGP for State-Respondent
Nos.1 and 3.

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

DATE :- JUNE 14, 2019

P.C. :-

1. Having heard Mr.Deshmukh, we do not think that we should interfere with the terms and conditions of the tender.

2. At this stage, we find that if the quality of the food to be supplied over seven thousand and odd schools all over Maharashtra has to be ensured, then, the condition that they must have minimum turnover of Rs.40,00,000/- annually is not so unreasonable, unfair, unjust or violative of the constitutional mandate as is projected before us. All the more, when there are

400 and more participants or bidders and the bids are likely to be opened and the tender is to be finalised before the schools reopen after summer vacation, we do not think that we should interfere with such a policy decision as enshrined in the tender. Even otherwise, the condition of a turnover to the extent of Rs.40,00,000/- is only to subserve the larger public interest particularly to ensure the quality of the food to be supplied to the students of the schools. Hence, the writ petition is devoid of merits and dismissed.

(G.S.PATEL, J.)

(S.C.DHARMADHIKARI, J.)