

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Writ Petition No.5560 of 2019

Ramabai Mahila Bachat Gat and one

Versus

Union of India and others

Office Notes, Memoranda of Coram,
appearances, Court's orders or directions Court's or Judge's orders
and Registrar's order

Shri Shashibhushan Wahane, Advocate for the petitioners,
Mrs. M.P. Munshi, Advocate for respondent no.1,
Shri A.M. Joshi, AGP for respondent nos.2 and 3.

Coram : R.K. Deshpande & Vinay Joshi, JJ.
Date : 06.08.2019.

Heard Shri Shashibhushan Wahane, the learned counsel
appearing for the petitioners.

The petitioners are held to be not eligible in the opening of technical bid on two grounds : (i) that, the petitioners do not possess the documents in respect of the requisite property and (ii) that, the financial turn over of the petitioners is less than Rs.40 Lacs. These two aspects are not disputed. Thus the petitioners have failed to satisfy essential conditions of eligibility. However, what is urged by Advocate Shri Wahane is that the acceptance of technical bid of respondent nos.8 to 15 is contrary to various conditions stipulated in the tender document and he has taken us through the Condition Nos.5.4 to 6.13 to point out that they do not satisfy these conditions and therefore the allotment of work to them needs to be quashed.

We could have appreciated the contentions raised to challenge the acceptance of bid of respondent nos.8 to 15, provided that the petitioners establish their eligibility. The petitioners having failed to establish their eligibility, we do not find their locus to challenge the impugned action.

The writ petition is **dismissed**.

(Vinay Joshi, J.)

(R.K. Deshpande, J.)