

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

WRIT PETITION NO.7583 OF 2020

**M/S. RAMABAI LABOUR SUPPLIERS AND SERVICES AT SHENDRA,
POST KARGAON, THROUGH PROPRIETOR
VERSUS**

**VASANTRAO NAIK MARATHWADA KRISHI VIDYAPETH,
KRISHI NAGAR, PARBHANI,
THROUGH VICE CHANCELLOR AND OTHERS**

Mr.P.D.Bachate, Advocate for petitioner
Mr.B.A.Shinde, Advocate for respondents

**CORAM : S.V.GANGAPURWALA
AND
R.G. AVACHAT, JJ.**

DATE : NOVEMBER 04, 2020

PER COURT :-

Mr.Bachate, learned Counsel for the petitioner, submits that pursuant to the tender notice, the petitioner had filled-in tender for various works such as Computer Operators, Skilled Labour, Unskilled Labour, Night Watchmen and Driver. The tender is for eleven month. The last date for filling the tender was 05.10.2020. The respondents on 06.10.2020, issued a circular thereby relaxing the condition of submitting certain documents by the tenderer.

2. Learned Counsel for the petitioner submits that the rules of game cannot be changed once the game is played. He submits that

after the last date of filling of the tender, a circular has been issued by the respondents thereby relaxing the condition to submit the documents, which is arbitrary. The tender condition requires that the tenderer shall be a registered contractor of the respondent-University. According to the learned counsel, the lowest tenderer is not a registered contractor. The petitioner is working with the University under a contract since last ten years. He submits that the Registrar of the University wants to create a complete new chain of the Contractors of the persons, in whom he is interested.

3. The technical bids have been opened on 16.10.2020. Prior to that, by issuing circulars, some of the clauses of the tender were relaxed. It is not that some additional terms and conditions are provided under circulars after the tenders are filled-in. Some relaxation is given to the bidders under the Circular dated 06.10.2020, which is much prior to the opening of the bids. It is not a case of imposition of additional conditions but a case of relaxation of conditions. The petitioner cannot be aggrieved by the same. Moreover, the petitioner is not the lowest bidder. It is not a case of loss of public exchequer.

4. In view of the above, we are not inclined to entertain the petition. The petition is dismissed. No costs.

[R.G. AVACHAT, J.]
kbp

[S.V.GANGAPURWALA, J.]