

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

961 WRIT PETITION NO.7857 OF 2020

M S R M PARVE GOVT REG CONTRACTOR AND ENGINEER THR ITS  
RAOSAHEB MADANRAO PARVE

VERSUS

THE STATE OF MAHARASHTRA AND ANOHER

...

Advocate for Petitioners :Mr Bachate Pralhad D.

AGP for Respondents State: Mr S. P. Tiwari

Advocate for Respondent No.2: Mr. K. S. Khedkar

CORAM : S. V. GANGAPURWALA &  
SHRIKANT D. KULKARNI, JJ.

DATE : 18th December, 2020

**ORDER:**

1. It is submitted that the petitioner has applied for extension of contract granted to him. The said request is negatived by the Executive Engineer.
  
2. As per Clause 30.2 of the conditions of Contract, the parties to the contract have right to approach Chief Engineer, a against the orders passed by the Executive Engineer within 30 days.
  
3. In light of that, as the petitioner has remedy before the Chief Engineer as per Clause 30.2 of the contract conditions, we refrain ourselves from entertaining the present writ petition. The petitioner may file appeal before the Chief Engineer as contemplated under Clause 30.2 of the conditions of contract.
  
4. If appeal is filed within 10 days from today, the same shall be considered within limitation.

5. Needless to state that the Chief Engineer, M.J.P., Thane to take decision upon the appeal on its own merits.
6. Writ petition accordingly disposed of. No costs.

(SHRIKANT D. KULKARNI, J.)

(S. V. GANGAPURWALA, J.)

JPC