

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

903 WRIT PETITION NO.442 OF 2020

BHAGYAWATI MAJUR SAHAKARI SANSTHA MARYADIT KARALI
THROUGH ITS CHAIRMAN ..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

...
Mr. Tukaram M. Venjane, Advocate for the
Petitioner.

Mr. S. G. Karlekar, AGP for Respondents-State.

...

**CORAM : S. V. GANGAPURWALA &
MANGESH S. PATIL, JJ.**

DATED : 16th JANUARY, 2020.

PER COURT:-

1. Mr. Venjane, learned counsel for the petitioner submits that the tender of the petitioner has been illegally rejected. There were no deficiencies in the tender. The petitioner had submitted the Income Tax Return as is required. The copies of the same are also filed in the petition. It is only to favour the other tenderer, the authority has rejected the tender of the petitioner. The tender of the petitioner was competitive.

2. On 09.01.2020 the learned counsel for respondent no.2 submitted that the work order is already issued in favour of Kulswamini Sanstha on 18.02.2019 and 70% of the work is already done.

3. In case, the petitioner feels that the tender is wrongly rejected, then in that case, the petitioner would only be entitled to claim damages, as at this stage, it would not be possible to set the clock back.

4. In light of the that, writ petition is disposed of. The petitioner may avail the remedy as may be permissible. In that event, all contentions of the parties are kept open. No costs.

(MANGESH S. PATIL)
JUDGE

(S. V. GANGAPURWALA)
JUDGE