

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

LD-VC-CW NO. 874 OF 2020

(Shrinath Transport Company .Vs. State of Maharashtra and Ors.)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Shri. S. M. Vaishnav, Counsel for the Petitioner.

CORAM : R. K. DESHPANDE AND
N. B. SURYAWANSHI, JJ.

DATED : 13th AUGUST, 2020.

Hearing was conducted through video conferencing and learned counsel appearing for the parties stated that the audio and visual quality was clear and proper.

2. The petitioner was given show cause notice before termination of the contract. After taking into consideration, the explanation furnished, the contract has been terminated.

3. We have perused the impugned order of termination which does not speak of black listing the petitioner. We are not sitting in appeal over the decision of the State Government terminating the contract of the petitioner. We are only concerned with the decision making process and we find that the principles of natural justice were followed.

4. Shri. S. M. Vaishnav, the learned counsel has invited our attention to the document in respect of some other work, wherein, in the Disqualification Condition No. 4(2), any tenderer whose contract with Food Corporation of India has

been terminated before the expiry of the contract period will not be eligible. The question is of the eligibility to participate in tender process which has in our view, no bearing on the question involved.

5. The writ petition is dismissed.

6. It is needless to say that the petitioner can adopt the alternate remedy of filing a civil suit in which all the questions can be agitated. No order as to costs.

7. This order be communicated to the counsel appearing for the parties, either on email address or on Whatsapp or by such other mode, as is permissible in law.

JUDGE

JUDGE

TAMBE

Vithal
Choulwar

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signed by
Vithal
Choulwar
Date:
2020.08.14
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