

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

**CIVIL APPLICATION NO. 1581 OF 2021
IN
WRIT PETITION NO. 2338 OF 2020**

Ganesh Goods Transport Company
Through its Proprietor .. Applicant

Versus

The State of Maharashtra and others .. Respondents

Shri R. N. Dhorde, Senior Advocate i/by Shri V. R. Dhorde,
Advocate for the Applicant.

Shri S. T. Shelke, Special Counsel i/by Shri A. R. Kale, A.G.P. for
Respondent Nos. 1 to 16.

**CORAM : S. V. GANGAPURWALA AND
SHRIKANT D. KULKARNI, JJ.**

DATE : 01ST FEBRUARY, 2021.

FINAL ORDER :

. An amendment is sought under the present civil application. Mr. Dhorde, the learned senior advocate for the applicant submits that, the Government Resolution dated 15.01.2021 is issued after the present writ petition is filed. The same is necessary to be challenged. It is only to favour two contractors same has been issued.

2. Mr. Shelke, the learned special counsel for the non applicants opposes the application on the ground that the applicant does not have cause of action to challenge the said

Government Resolution. The petitioner/applicant cannot be said to be aggrieved at this stage. At Nagpur a similar challenge was turned down by the Division Bench in Writ Petition No. 373 of 2021 under order dated 27.01.2021.

3. We have also heard the learned Assistant Government Pleader for respondents/State.

4. The writ petition is at the nascent stage. The petitioner only seeks amendment that is sequel to the petition. Moreover, the respondents/non applicants will have every opportunity to assail the amendment sought to be introduced on all the grounds available including the locus of the petitioner, so also the cause of action.

5. For the reasons stated in the application, the civil application is allowed in terms of prayer clause "A". The amendment be carried out within a period of one (01) week from today. The civil application is disposed of.

[SHRIKANT D. KULKARNI, J.] [S. V. GANGAPURWALA, J.]

bsb/Feb. 21