

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

99 CIVIL APPLICATION NO.6556 OF 2021
IN PIL/120/2019

SHRI SAIBABA SANSTHAN TRUST SHIRDI THR ITS CHIEF
EXECUTIVE OFFICER KANHURAJ HARISHCHANDRA BAGATE
VERSUS
THE STATE OF MAHRASHTRA AND OTHERS

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Advocate for Applicants : Mr. A.S. Bajaj
GP for Respondents State : Mr. D.R. Kale
Advocate for Respondents 9 & 10 : Mr. A.V. Rakh
Advocate for petitioner in PIL : Mr. S.B. Talekar
Advocate for Respondent 6 in PIL : Mr. A.V. Hon
Advocate for Respondents 3 & 7 in PIL : Mr. V.R. Dhorde

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**CORAM : S.V. GANGAPURWALA &
R.N. LADDHA, JJ.**
DATED : 26/07/2021.

PER COURT :

1. Under the present civil application, the Sansthan seeks permission to implement circulatory resolution adopted by Ad-hoc Committee on 9.6.2021. Under the said resolution, the Committee seeks to purchase the grocery items and other required material for various departments of Sai Baba Sansthan.

2. We have heard Mr. Bajaj, Mr. Talekar and Mr. Kale, the learned counsel.

3. Today, the Bhojnalaya, so far as providing food to the devotees is concerned, is closed. Naturally the grocery and other items would not be required for the said purpose. Two hospitals of the Sansthan are functioning. The need of grocery items for catering to the patients and the health workers, doctors, working at the hospitals would be required.

4. The applicant may issue E-tender for the purpose of purchase of grocery items as required. However, the tender shall clarify that the proposals of the grocery items which are estimated in tender would not be in lump-sum, the same would be as per its need from time to time.

5. To illustrate, the temple is closed today. The devotees are not permitted to enter the temple. We do not know the time, the period up to which the temple would be closed. So, at present, till the temple is closed, there would be no need of grocery items to cater to the devotees and the same would be restricted to the hospitals. The applicant Sansthan is permitted to purchase the grocery items from the successful tenderer only to the extent it is needed. The tender notice shall clarify that the the applicant will purchase the grocery items only as per its

need from time to time and the purchase of the grocery items may be much less than the estimated cost.

6. With the aforesaid clarification, the applicant is permitted to issue E-tender for the purpose as per the circulatory resolution adopted by Ad-hoc Committee on 9.6.2021 (Exh. C-2). Along with E-tender the public notice of tender be published in two leading newspapers so as to invite best of the competition.

7. Civil Application stands disposed of.

[R.N. LADDHA, J.]

[S.V. GANGAPURWALA, J.]

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