

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD  
WRIT PETITION NO.6858 OF 2021  
WITH CA/8982/2021 IN WP/6858/2021**

**DHIRAJ ASHOK CHAUDHARI**

**..PETITIONER**

**VERSUS**

**THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS**

...

Mr. D. P. Palodkar h/f Mr. J. R. Shah, Advocate for the Petitioner.

Mr. A. R. Kale, AGP for Respondents-State.

Mr. B. S. Deshmukh, Advocate for Respondent Nos.2 and 3.

...

**CORAM : S. V. GANGAPURWALA &  
R. N. LADDHA, JJ.**

**DATED : 02<sup>nd</sup> DECEMBER, 2021.**

**PER COURT:-**

1. The petitioner is disqualified from the technical bid. The contention of the petitioner is that, without seeking explanation from the petitioner directly the petitioner is disqualified from the tender on wrong premise.

2. Mr. Deshmukh, learned counsel submits that, on the date the petitioner had filled in the tender, he was employee of the college and still he filled in the tender on the basis of certificate obtained by him as an educated unemployee. In view of that, the order is passed.

3. It appears that, explanation was not sought from the petitioner.

4. The petitioner shall construe the impugned order (Page No.28) as notice to him and shall file his reply within a period of three (03) days. The Municipal Council shall take decision on it afresh preferably within seven (07) days thereafter. Till the decision is taken, the position as on today be maintained. The parties may take further steps depending on decision taken.

5. Writ Petition is disposed of.

6. In view of disposal of writ petition, Civil Application No.8982/2021 is disposed of.

**(R. N. LADDHA)**  
**JUDGE**

**(S. V. GANGAPURWALA)**  
**JUDGE**