

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
REVIEW APPLICATION (CIVIL) NO.79 OF 2021
IN WP/11018/2019**

ZILLA PARISHAD THROUGH CHIEF EXECUTIVE OFFICER AND
OTHERS ..APPLICANTS

VERSUS

MAHARASHTRA ENGINEERS ASSOCIATION THROUGH ITS
GENERAL SECRETARY AND OTHERS ..RESPONDENTS

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Mr. Shivaji T. Shelke, Advocate for the Applicants.
Mr. K. N. Lokhande, AGP for Respondents-State.
Mr. D. P. Palodkar, Advocate for Respondent No.1.

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

DATED : 22nd OCTOBER, 2021.

PER COURT:-

1. The present civil application is filed for review of the order dated 20.09.2021 on the ground that at the time of passing of the order, the Government Resolution dated 27.05.2021 could not be pointed out wherein E-tender auction is mandatory for an amount more than Rs.Ten Lakhs and not below it.

2. This Court in judgment under review observed that, the E-tender process is required to be adhered to, if the amount involved is more than Rs. Three Lakhs.

3. The learned counsel for the applicant submits that, the Government Resolution dated

27.05.2021 could not be pointed out at the time of hearing the writ petition.

4. Mr. Palodkar, learned counsel for non-applicant submits that, the said Government Resolution would be in conflict with the order of this Court in Public Interest Litigation No.116/2016 decided on January 24, 2018.

5. It appears that, the Government Resolution dated 27.05.2021 was not brought to the notice of the Court by either of the parties and in absence thereof the said order was passed relying on the earlier Government Resolution dated 27.03.2015.

6. The Government Resolution dated 27.05.2021 would be also relevant for adjudicating the writ petition.

7. In light of that, the order dated 20.09.2021 in Writ Petition No.11018/2019 is recalled and Writ Petition No.11018/2019 is restored to its original position.

8. The Review Application accordingly allowed.

9. Place the Writ Petition on 09.12.2021.

(R. N. LADDHA)
JUDGE

(S. V. GANGAPURWALA)
JUDGE