

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.6536 OF 2021

Nilkanth Baban Kanade & Ors.

... Petitioners

Vs.

The State of Maharashtra, Thr. its Secretary,
Rural Development Department AND

Thr. its Secretary, Public Works Department & Ors.

... Respondents

Mr. Amit Sale with Mr. Tukaram Shendge for the Petitioners.
Mr.Y.D. Patil, AGP for the State.

**CORAM : A.A. SAYED &
 ABHAY AHUJA, JJ.**

DATE : 21ST DECEMBER 2021

P.C. :

1. The Writ Petition is filed seeking following reliefs :-

“A) This Hon’ble Court be pleased to issue an appropriate writ, order or direction in the like nature thereby be pleased to quash and set aside the tender notice dated 6/8/2021 calling for tender for development of the road (at Exhibit I) between Parmeshwar Pimpri-Dadpur chowk to Pirtakali.

B) This Hon’ble Court be pleased to issue an appropriate writ, order or direction in the like nature, thereby directing the respondent No.1 to 3 to issue tender for development and upgradation of ODR-37 running between Kurul to Shingoli via Dadpur Chowk.”

2. Insofar as the Prayer Clause (A) is concerned, since the tender is already issued and the bids have been opened, the said Prayer is rendered infructuous.

3. Insofar as the Prayer Clause (B) is concerned, we permit the Petitioners to make a representation to Respondent No.2-Chief Engineer, Maharashtra Rural Road Development Association. If such representation is made within three weeks from today, the same shall be decided within a period of four weeks from the date of receipt of said representation.

4. We leave it to the Chief Engineer to take a call on whether he wants to hear the Petitioners before deciding the said representation.

5. Writ Petition is disposed of in the aforesaid terms.

6. All contentions of the parties are kept open.

(ABHAY AHUJA, J.)

(A.A. SAYED, J.)