

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.3671 OF 2020

Ateeq Ahmed Kamal Ahmed .....Petitioner  
V/S  
Malegaon Municipal Corporation & Ors. ....Respondents  
...

WITH  
WRIT PETITION NO.2338 OF 2021

Md. Mustaqueem Md. Mustafa .....Petitioner  
V/S  
Malegaon Municipal Corporation & Ors. ....Respondents

Mr. N.R. Bubna for the Petitioners in both Wps.  
Mr. S.S. Patwardhan for Respondent Nos.1 to 4-Malegaon Municipal Corporation in both Wps.  
Mr. K.S. Thorat, AGP for the Respondent No.5-State in both WPs.  
...

**CORAM : A.A. SAYED &  
S.G. DIGE, JJ.**  
DATE : 6 SEPTEMBER 2021.

**P.C.:**

1 The above Petitions are filed by the Petitioners for seeking the following relief:

“a. For a writ of mandamus, for a writ in nature of mandamus and/or for any other appropriate writ, direction or order directing respondents to forthwith finalise and issue Work Order for essential minor repair/construction works where budgetary sanction has been granted, tender process has been executed and successful bidder has been selected.”

2 Learned Counsel for the Respondent-Corporation has pointed out that earlier tender is now become infructuous as that was in the relevant financial year 2019-20. In the circumstances, by consent of learned Counsel for the parties, we dispose of the Petition by passing the following order:

**ORDER**

- i) The Petitioners shall submit a fresh proposals for the repair/construction works which are required to be carried out in respect of public toilets and drainage lines etc. being the subject matter of the Petitions within a period of two weeks from today.
  - ii) The Respondent-Corporation shall place the said proposals before the General Body Meeting which we are informed is to be held in October 2021.
  - iii) The General Body shall take an appropriate decision on the fresh proposals submitted by the Petitioners in the General Body Meeting which is to be held in October 2021 or later.
- 3 Both the Petitions to stand disposed of in the aforesaid terms.

**(S.G. DIGE, J.)**

**(A.A. SAYED, J.)**

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RAJALINGAM  
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