

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.5598/2021

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Vilas Bhujangrao Suryawanshi Petitioner

Vs.

State of Maharashtra & Ors. Respondents

Mr. Rushikesh Patil with P. S. Nigade I/b. Tushar Pimple for
the Petitioner

Mr. P. P. Kakade, GP a/w. Mr. S. S. Panchpor, AGP for the
State

**CORAM: K.K.TATED &
PRITHVIRAJ K. CHAVAN, JJ.**

DATED : SEPTEMBER 17, 2021

P.C.

1 Heard. By this petition under Article 226 of the Constitution of India, the Petitioner is challenging the letter dated 23.06.2021 issued by the Executive Engineer, Public Works Department, Pune granting maintenance and repairs work of the building Raj Bhavan at Mahabaleshwar, Dist. Satara, without calling any E-tender. The learned counsel for the Petitioner submits that because of the said action, the Petitioner has suffered losses.

2 The learned Govt. Pleader for the Respondents has pointed out that the Petitioner has admitted in paragraph 20 of the petition that 50% work has already been over and therefore, nothing survives in the Writ Petition.

3 Considering the submissions made by the learned counsel for the Petitioner and the averments made in para 20 of the petition, when this court declined to entertain the Writ Petition, the learned counsel for the Petitioner seeks permission to withdraw the Writ Petition with liberty to file appropriate proceedings for recovery of damages, if any. To that effect, the Petitioner has given in writing. Same is taken on record and marked "X" for identification. Same is accepted.

4 Hence, the following order is passed:

- a. The Writ Petition stands dismissed as withdrawn with liberty as prayed for.
- b. No order as to costs.

(PRITHVIRAJ K. CHAVAN, J.)

(K.K.TATED, J.)