

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

Writ Petition NO. 9353 OF 2021

M/s Brijbasi Fire Safety Systems
Private Limited

...Petitioner(s)

Versus

State Of Maharashtra And Ors

...Respondent(s)

Mr. Manoj M. Mirchandani, Mr. Rajendra Raghuwanshi, Mr. Bharat M. Mirchandani, Mr. Celeste L. Lemos for the Petitioner.

Mr. Y.D. Patil, AGP for Respondent No.1-State.

Mr. M.L. Patil for Respondent Nos.2 and 3.

Mr. Arshad Shaikkh, Mr. Sanjay Udeshi, Mr. Aditya Udeshi, Mr. Netaji Gawade i/b M/s. Sanjay Udeshi & Co. for Respondent Nos.5 and 6.

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

DATED: 22nd December, 2021

PC:-

1 The challenge in the Petition is to the communication dated 3 November 2021 holding the Petitioner's bid technically ineligible. On the same day, i.e. 3 November 2021, the financial bids were opened and the Respondent No.5 was held to be successful bidder. We are informed by the learned Counsel for the Respondent-Corporation that the Agreement has been entered into between the Respondent-Corporation and Respondent No.5 on 26 November 2021 and the work has been allotted and purchase order was also issued on 26 November 2021.

2 In the circumstances, we find that the Petitioner has approached the Court belated by filing the present Writ Petition only on 12 December 2021 and it is now not possible to set the clock back. Hence, we are not inclined to entertain the Petition. The Petition is accordingly dismissed. It will be open for the Petitioner to take recourse to other remedies, if so advised and if so permissible in law.

(ABHAY AHUJA,J.)

(A.A. SAYED,J.)