

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,**  
**NAGPUR BENCH : NAGPUR.**

**WRIT PETITION NO.1975/2021**

Mr. Khushal Ramkrishna Bansod

..Vs..

Directorate of Municipal Administration, Gadchiroli and others

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Office Notes, Office Memoranda of  
Coram, appearances, Court's Orders  
or directions and Registrar's order

Court's or Judge's Order

Shri R.R. Vyas, Advocate for the petitioner.

**CORAM :- SUNIL B. SHUKRE AND**  
**ANIL S. KILOR, JJ.**

**DATED :- 16.6.2021.**

Heard Shri R.R. Vyas, learned counsel for the petitioner. Learned counsel submits that tenders were invited for collection of solid waste and removal of sediment by Nagar Panchayat Kurkheda for the year 2021-2022 from the qualified bidders. He further submits that the petitioner being a qualified bidder had also submitted his bid online, as per the procedure prescribed in tender notice dated 8<sup>th</sup> May, 2021. He further submits that the petitioner was in possession of labour welfare certificate as required by the tender notice but for some reason, the certificate could not be uploaded by the petitioner. He further submits that petitioner was found to be disqualified in the technical round only on the ground that he did not upload the labour welfare certificate at the time of submitting his bid documents online. He further

submits that the petitioners quotation rate was much lower than the rate quoted by the contractor to whom the awarding of contract is being proposed. He further submits that if these important aspects are appropriately considered, the petitioner would become eligible for award of contract and if that is to happen, the Nagar Panchayat would save amount of Rs.6,19,000/- for the period of contract, which would be in the public interest.

2. Having considered these submissions and also having gone through the conditions of tender, we are of the view that it would be appropriate for the petitioner to make a representation to the competent authority, for re-consideration of the whole issue. We are of further view that in the representation, if made, all the aforestated contentions can be raised by the petitioner. Accordingly, we grant liberty to the petitioner to make appropriate representation to the competent authority for re-consideration of the whole issue and if such representation is made within three days of the order, same shall be considered and decided by the competent authority within three days from the date of receipt of the representation. Writ petition is **disposed of** accordingly. No costs.

**JUDGE**

**JUDGE**