

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

WRIT PETITION NO. 2637 OF 2020

Tathagat Krida Mandal,
through its Secretary,
Gajanan @ Swami S/o. Sitaram
Nagdavane, having its office at
Ramnagar, Dindayal Ward, Near
Dr. Ambedkar's Statue, Gondia.

.... **PETITIONER.**

// VERSUS //

1. Municipal Council, Gondia,
through Chief Officer,
Near Gandhi Pratima,
Gondia.
2. Jai Ambe Swyam Rojgar Seva
Sanstha, through its Secretary,
having its office at Gandhi Ward,
Near Old RTO Office, Old Gondia,
Gondia.

.... **RESPONDENTS.**

Shri Kaustubh Deogade, Advocate for Petitioner.
Shri M.I.Dhatrak, Advocate for Respondent No.1.

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

DATED : SEPTEMBER 01, 2021

ORAL JUDGMENT : (Per : Sunil B. Shukre, J.)

1. Heard.
2. **RULE.** Rule made returnable forthwith. Heard finally by consent of the learned counsel for the parties.
3. The learned counsel for the petitioner, on instructions, submits that in view of the categorical statement made in the reply affidavit filed by the respondent No.1 that there are certain dues which are payable to the petitioner and which would be considered by the respondent No.1 appropriately and also due to the fact that the tenure of the tender notice under challenge has come to an end on 9th September 2021, the petitioner would give up his challenge to this tender notice. But, he also submits that the respondent No.1 be directed to consider the payment of dues of the petitioner in the light of the admissions given by it in its reply affidavit.
4. The claim of the petitioner regarding non-payment of the dues to him by respondent No.1 has been accepted in principle by respondent No.1, if one carefully goes through the reply affidavit filed by it. If that is the case, we are of the view that the purposes of this petition shall stand served by issuing appropriate directions to the respondent No.1.

5. Accordingly, we direct respondent No.1 to consider the claim of the petitioner regarding non-payment of the dues in respect of the manpower provided by him to the respondent No.1 and decide it appropriately within a period of six months from the date of the order.

Rule accordingly. No costs.

(ANIL S. KILOR, J)

(SUNIL B. SHUKRE, J.)

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