

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

WRIT PETITION NO.3279/2020

Al Amin Cotton Ginning and Pressing Industries, Darwaha through its Manager-
Quazi Amiruddin Quazi Arifuddin

Vs.

The Collton Corporation of India through its General Manager and ors.

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

Court's or Judge's Order

Shri S.M.Vaishnav, Advocate for petitioner.
Shri S.V. Sohoni, for respondent no. 1.
Shri M.D.Lakhey, Advocate for respondent no.2.

CORAM :- A.S.CHANDURKAR AND G.A.SANAP, JJ.
DATED :- DECEMBER 22, 2021.

The petitioner is aggrieved by the action of the respondent no.1-Tendering Authority for not opening his financial bid in accordance with the tender conditions.

It is seen that tender notice dated 28.11.2020 was restricted for the cotton season 2020-21 which period commenced from 01.10.2020 to 30.09.2021. When notice was issued in the writ petition, it was directed that if any work order was issued prior to passing of the said order, no payment would be made to the allottee until further orders. The said allottee is respondent no.2.

It has transpired that with the passage of time, cotton season 2020-21 has come to an end and hence even if the prayers made in the writ petition are granted, no useful purpose would be served since the work in question cannot now be undertaken. It is informed that the respondent no.2 has in accordance with work order completed the same but the payment due to him has been withheld in view of the interim order passed in the writ petition.

In the light of aforesaid, with the passage of time we find that the challenge raised has become academic. The petitioner is free to approach the Civil Court if any other grievance survives, if so advised. The grounds raised for challenge are kept open.

The writ petition is therefore disposed of. The respondent no.1 shall release the dues of the respondent no.2 in accordance with the terms of the contract expeditiously. No costs.

(G.A.SANAP, J.)

(A.S.CHANDURKAR, J.)

Andurkar..