

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 17035 OF 2022

IN

WRIT PETITION NO. 2296 OF 2021

Clean Sauchalay ... **Applicant**

In the Matter Between :

Clean Sauchalay ... **Petitioner**

Versus

The State of Maharashtra & Ors. ... **Respondents**

WITH

INTERIM APPLICATION NO. 17034 OF 2022

IN

WRIT PETITION NO. 2322 OF 2021

Parivartan Vikas Sanstha ... **Applicant**

In the Matter Between :

Parivartan Vikas Sanstha ... **Petitioner**

Versus

The State of Maharashtra & Ors. ... **Respondents**

WITH

INTERIM APPLICATION NO. 17031 OF 2022

IN

WRIT PETITION NO. 2323 OF 2021

Maru Seva Sangh ... **Applicant**

In the Matter Between :

Maru Seva Sangh ... **Petitioner**

Versus

The State of Maharashtra & Ors. ... **Respondents**

Mr. Sanjeev Kadam a/w. Mr. Mayur Sanap & Ms. Varsha Thorat i/b. Mr. Prashant P. Raul, Advocate for the Applicants/Petitioners.

Mr. V. M. Mali, AGP, AGP for the Respondents/State.

Mr. Vijay Patil, Advocate for Respondent No.3/APMC.

**CORAM: S.V. GANGAPURWALA &
M. S. KARNIK, JJ.**

DATED : AUGUST 3, 2022

P.C.

1. Mr. Kadam, learned Advocate for the applicants submits that the present writ petitions are filed for alleged breach on the part of the respondents in adhering to the orders passed by their Appellate Authority. The petitioners all along was contending the specific rate of Rs.2/- and 3/- which the respondents were not abiding.

2. The learned Advocate for the respondents contends that the petitioners are guilty of the breach of terms of the tender. The respondents are operating the toilet since 17th July 2021.

3. It appears that this Court on 8th June 2021 granted interim order in favour of applicant on the applicants depositing 25% of the amount. The same was not complied with. The applicants filed interim applications seeking extension of the interim order. The applications were rejected on 1st July 2021. Since one year, the respondents are operating the toilet. The fresh tenders are already floated. The bids are to be opened tomorrow. It would not be possible now to set the clock back, more particularly when the applicants have failed to comply with the order of depositing 25% of the amount. Even the applicants can take part in the fresh tender process as permissible in law.

4. Interim applications are disposed of. No costs.

(M. S. KARNIK, J.)

(S.V. GANGAPURWALA, J.)