

AGK

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

PUBLIC INTEREST LITIGATION NO.116 OF 2022

Makarand Shridhar Tasgaonkar
& Anr.

...Petitioners

V/s.

Principal Secretary, Social Justice
& Special Assistance Department
& Anr.

...Respondents

Dr. Suresh Mane i/by New Era Juris Law Firm for
the petitioner.

Mr. P. P. Kakade, Government Pleader with Mr. B. V.
Samant, AGP for the State.

**CORAM: DIPANKAR DATTA, CJ. &
MADHAV J. JAMDAR, J.**

DATE: SEPTEMBER 29, 2022

P.C.:

- 1.** This writ petition, allegedly, is instituted in public interest by a social activist. He challenges the Government Resolution (hereafter "GR", for short) dated 24th June 2022 on the ground that the same is in violation of Article 46 of the Constitution of India.
- 2.** We find no reason to entertain the writ petition for more reasons than one.
- 3.** First, no writ petition is maintainable for enforcement of the Directive Principles of State Policy.

4. Secondly, not a single intending bidder who could justifiably claim to be prejudiced by reason of enforcement of the GR dated 24th June 2022 is before this Court. If indeed the said GR seeks to curtail any of the rights of a bidder to participate in the tender process, such bidder is free to approach the Court. It is not that any aggrieved bidder is disabled from approaching the Court. There being no complaint from any bidder in regard to the terms of the said GR, the concern expressed by the petitioner that several bidders would lose out on participating in the tenders appears to us to be imaginary.

5. Thirdly, the petitioner claims to be a social activist. He is neither interested to participate in the tenders nor remotely connected with the tendering process. We, thus, hold that he has no *locus standi* to institute a litigation in public interest.

6. The writ petition is dismissed. No costs.

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(MADHAV J. JAMDAR, J.)

(CHIEF JUSTICE)