

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

WRIT PETITION NO. 39 OF 2022

M/s. Deshmukh & Deshmukh (JV), thr. its -- Petitioner/s
partners Rajesh Dadarao Deshmukh

Vs.

Superintendent Engineer, Public Works -- Respondent/s
Department, Akola & Ors.

Dr. Anjan De, Advocate for the Petitioner.

Mr. A.A. Madiwale, A.G.P. for Respondent Nos. 1 to 4.

Mr. A.C. Dharmadhikari, Advocate for Respondent No.5.

CORAM : NITIN JAMDAR &
ANIL L. PANSARE, JJ.

DATE : 19 APRIL 2022.

P.C. :

Heard learned Counsel for the parties.

2. The Petitioner has challenged the rejection of technical bid of the Petitioner which was submitted pursuant to a tender called for by the Respondent – Public Works Department. The work order has been issued in favour of the private Respondents, which by way of an amendment has been challenged.

3. Having heard the learned Counsel for the parties, we were of the opinion that considering the issues raised and the law laid down by the Hon'ble Supreme Court, the appropriate remedy

for the Petitioner would be to file a suit for damages to be considered on its own merits and the matter was kept today at the request of learned Counsel for the Petitioner.

4. Learned Counsel for the Petitioner states that Pursis has been filed that the Petitioner intends to file a Civil Suit.

5. In light of this position, keeping the contentions of all the parties open in case the Petitioner files a Civil Suit, the Writ Petition is disposed of.

[ANIL L. PANSARE, J.]

[NITIN JAMDAR, J.]