

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

921 WRIT PETITION NO.1617 OF 2023

PRAMOD NILKANTH KHEDKAR
VERSUS
THE STATE OF MAHARASHTRA THROUGH SECRETARY AND
OTHERS

...
Advocate for Petitioner : Mr. I.K. Wagh h/f M S Bhosale
AGP for Respondents: Mr. A R Kale
Advocate for Respondent 2 : Mr. P D Suryawanshi

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CORAM : NITIN W. SAMBRE & S. G. CHAPALGAONKAR, JJ.
Dated: April 11, 2023

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PER COURT :-

1. The petitioner, a registered government Contractor, participated in E-Tender process of the Jal Jivan Mission for the execution of the work of water supply pipeline at village Pimpri, Tq. Ashti, District Beed on 9.5.2022. In the said tender process, out of four tenders only petitioner remained as a bidder as one of the tender held to be not qualified and remaining two bidders have withdrawn. As a sequel of above, tender notice was cancelled and fresh tender notice was issued.

2. Petitioner accordingly questioned the decision of not allotting him the work being sole successive tender in writ petition no.896 of 2023. Said writ petition was withdrawn by

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the petitioner on 23rd January, 2023 in view of subsequent development viz. there being fresh tender with liberty to the petitioner to participate in tender process. Instead of participating in the tender process, the petitioner has questioned allotment of the work pursuant to the fresh tender notice in favour of respondent no.3.

3. Once the petitioner has withdrawn his earlier writ petition no.896 of 2023 on 23.1.2023, the petitioner loses to have any right to claim that fresh tender ought not have been processed and work order ought not have been issued in favour of respondent no.3, particularly when he has not participated in the said second tender process.

4. In view of above, no case for showing indulgence in writ jurisdiction is made out. Writ Petition stands dismissed.

(S. G. CHAPALGAONKAR, J.)

(NITIN W. SAMBRE, J.)

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