

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

17 WRIT PETITION NO. 12014 OF 2023
WITH CA/12337/2023 IN WP/12014/2023

INDIA AGRO FARMS CO OPERATIVE SOCIETY LTD
THROUGH ITS CHAIRMAN SECRETARY
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Mr. P.R. Katneshwarkar
i/b. Mr. Patil Ujwal Subhash
AGP for Respondent Nos. 1 to 3 : Mr. A.A. Jagatkar
...

**CORAM : MANGESH S. PATIL &
SHAILESH P. BRAHME, JJ.**

DATE : 09 OCTOBER 2023

PER COURT :

Heard both the sides.

2. The petitioner is a Co-operative Society duly registered under the Maharashtra Co-operative Societies Act. It is primarily aggrieved by the decision of the respondent no. 2 – Authority which floated the tender but rejecting its bid holding that it is not a Society which is working for the welfare of the labours and was primarily a Credit Society. It is being demonstrated that though the petitioner's nomenclature in all probability is misleading, it is a Society of labours working for their welfare.

3. According to the learned AGP, the tender in question has been recalled and a fresh tender has been floated, which fact even the learned Advocate for the petitioner admits. Learned Advocate for the

petitioner also submits that the petitioner has even participated in the fresh tender process.

4. If such are the supervening events, this Court cannot decide the issue academically. It would always be open for the petitioner to satisfy the respondent no. 2 – Authority, as to how it is eligible to participate and the latter may have to consider that aspect as well.

5. In the light of the above state of affairs, nothing survives to be decided in this petition and it is disposed of. All the issues are kept open.

6. Civil Application is also disposed of.

[SHAILESH P. BRAHME, J.]

[MANGESH S. PATIL, J.]