

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

REVISION PETITION NO.17 OF 2023
IN
WRIT PETITION NO.6812 OF 2021

M/s. S.B. Konapure

....Petitioner

V/S

State of Maharashtra & Ors.

....Respondents

...

Ms. Pradnya Talekar i/b Ms. Ruchira Halli for the Petitioner.

Mr. Akshay Shinde 'B' Panel a/w Mr. R.P. Kadam, AGP for Respondent No.1-
State.

...

**CORAM: S.V. GANGAPURWALA, ACJ &
SANDEEP V. MARNE, J.**

DATE : 2nd MAY 2023.

P.C.:

1 Heard Ms. Talekar, the learned Advocate for the Review Petitioner.

2 The Review Petitioner has filed the Writ Petition seeking directions against the Respondents to allow and participate in the price bid opening so also seeking relaxation of condition of clause 5.1 and 5.3 of the Tender. This Court had dismissed the Writ Petition. It was accepted by the learned Counsel for the Petitioner appearing in the Writ Petition that the Petitioner does not possess requisite qualification as per clause 5.1 and 5.2 of the Tender and that the Petitioner seeks relaxation on account lesser number of card holders in the Solapur District. Ms. Talekar, the learned Advocate for the Petitioner submits that in fact the Petitioner had relied upon his experience in transportation with

semi-government organization/government company. The same was not considered. The only ground for rejection of the bid is that the Petitioner does not have necessary experience. According to the learned Advocate the certificate issued by Hindustan Petroleum Corporation of having supplied LPG was on record. The same has not been considered. There were other certificates issued by the semi-government organization however the same have not been considered by the Respondents.

3 The order clearly records that it is accepted by the Petitioner that the Petitioner does not possess the necessary qualification as provided under clause 5.1 and 5.2 of the conditions of tender. The Petitioner admittedly does not possess necessary required experience of transport of foodgrains.

4 In para 12, 13 and 14 of the Memo of Writ Petition also the Petitioner accepts that the Petitioner was short of work experience in transportation of foodgrains.

5 Now in the Review Petition, a case is sought to be made out that in fact the Petitioner had transportation contracts with other government company. The same is not considered.

6 While deciding the Writ Petition we have considered the case pleaded by the Petitioner to the effect that the Petitioner does not have the necessary required experience of transportation of foodgrains.

7 In light of that we are not inclined to accept the case of the Petitioner in
the present Review Petition. The scope of review is very limited.

8 The Review Petition as such is disposed of. No costs.

(SANDEEP V. MARNE, J.)

(ACTING CHIEF JUSTICE)