

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.1528 OF 2023

Ragas Enterprises

....Petitioner

V/S

The State of Maharashtra & Ors.

....Respondents

...

Ms. Amisha Lalusare a/w Mr. Rushikesh Kekane for the Petitioner in WP 1528 of 2023.

Dr. Birendra Saraf, AG a/w Mr. P.P. Kakadae, GP, Mr. M.M. Pabale, AGP for Respondent-State.

...

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

DATE : 16 MARCH 2023.

P.C.:

1 The Petitioner challenges conditions PQ3, PQ4 and PQ7 as well as clause 7.2 of the Tender document dated 27 December 2022.

2 The challenge to the conditions PQ3 and PQ4 has already been negated by the Aurangabad Bench of this Court in Writ Petition No.151 of 2023 and the challenge to the condition PQ7 has been negated by the Nagpur Bench in Writ Petition No.924 of 2023.

3 The learned Counsel for the Petitioner further submits that clause 7.2 of the tender also does not serve any purpose. The learned Counsel for the

Petitioner submits that condition of In House Lab is too rigid as third party certificate is required to be obtained.

4 According to us the in house lab is necessary for testing of samples before dispatch. The tender is for supply of fortified rice/kernel to the children. Zero tolerance to infection would be the rule and for that purpose in house lab would be necessary.

5 We do not find any reason to take a different view than the view taken by the Aurangabad Bench and Nagpur Bench.

6 In view of that the Writ Petition is disposed of. No costs.

(SANDEEP V. MARNE, J.)

(ACTING CHIEF JUSTICE)

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KATKAM
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