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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 9541 OF 2023

M/s. Milan Road Buildtech
LLP-M/s. Anish Infracon
India Pvt.Ltd. & Anr.

.. Petitioners

Versus

Public Works Department (NH)
Govt. of Maharashtra & Ors.

.. Respondents

Ms. Amruta Sawant for petitioners.
Mr. P. P. Kakade, Government Pleader a/w Mr. M. M. Pabale,
AGP for respondent/State.
Mr. Pranil Sonawane a/w Ruchi Rajput a/w Raj Chaurasia for
respondent nos.2 to 4.

**CORAM: DEVENDRA KUMAR UPADHYAYA, CJ. &
ARIF S. DOCTOR, J.**

DATE: 7th AUGUST, 2023

P.C.:

1. Heard Ms. Amruta Sawant, learned counsel for the petitioners, Mr. P. P. Kakade, learned Government Pleader representing the respondent no.1- State of Maharashtra and Mr. Pranil Sonawane, learned counsel representing the respondent nos.2 to 4 – Ministry of Road Transport & Highways, Government of India.
2. This petition seeks to challenge the decision dated 24th July, 2023, whereby the Evaluation Committee has rejected the technical bid submitted by the petitioner.

3. Learned counsel representing the respondent nos.2 to 4 has stated, on instructions, that certain representations have been made by other tenderers, including the petitioner, which have been forwarded to the Evaluation Committee for consideration. He has also stated that along with representations preferred by other tenderers, the one made by the petitioner, shall also be considered by the Evaluation Committee.

4. In view of the aforesaid, we dispose of the writ petition with a direction to the Evaluation Committee to consider the representation of the petitioner said to have been made by it against the decision dated 24th July, 2023. The decision dated 24th July, 2023, thus, shall be subject to the decision to be taken by the Evaluation Committee afresh.

5. We also provide that in case the petitioner is still aggrieved by the fresh decision to be taken by the Evaluation Committee, the petitioner will be at liberty to take recourse to legal remedies that may be available to it under law.

(ARIF S. DOCTOR, J.)

(CHIEF JUSTICE)

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