



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

WRIT PETITION NO.2138 OF 2024

Uttam Dharma Koli,
Age-50 years, Occu:Business,
R/o-Shop No.11,
Narayan Patil Municipal Market,
Old Satara, Jalgaon Road,
Bhusawal, Dist-Jalgaon.

...PETITIONER

VERSUS

- 1) The State of Maharashtra,
Through its Principal Secretary,
Public Works Department,
Mantralaya, Mumbai-32,
- 2) The Chief Engineer,
Public Works Department,
Nasik Division, Nasik-1,
- 3) The Executive Engineer,
Public Works Department,
North Division, Jalgaon.

...RESPONDENTS

...
Mr. Harshal P. Randhir Advocate for Petitioner.
Mr. N.S. Tekale, A.G.P. for Respondents.
...

**CORAM: SMT. VIBHA KANKANWADI AND
S.G. CHAPALGAONKAR, JJ.**

DATE : 26th FEBRUARY, 2024

ORDER :

1. The present Petition has been filed for following reliefs:-

“(B) This Hon’ble Court by way of appropriate writ, order or directions in the like nature, be pleased to direct the respondent authority to decide the representation dated 27/04/2023 and 28/04/2023 within stipulated time thereby the as well this Hon’ble Court be pleased to direct the respondent no.2 to initiate departmental enquiry against the culprits.

(C) This Hon’ble Court by way of appropriate writ, order or directions in the like nature, be pleased to direct the respondent authority to open the tender Bids for Tender notice dated 27 issued by respondent no.3 and accordingly this Hon’ble Court be please to direct the respondent authority to allot the tender as per rules and procedures.

(D) That, This Hon’ble Court by way of appropriate writ, order or directions in the like nature, be pleased to direct the respondent authority to compensate the petitioner for the delayed in allotment tender as per Rule 7 given in Government Resolution dated 27/09/2018 issued by the Public Works Department, Government of Maharashtra.”

2. The learned AGP after waiving notice for the respondents, makes a statement that the representations filed by the petitioner have not reached to respondent No.2. If the petitioner files a fresh representation, then it would be decided within a period of one month.

3. It appears that the representations which were given by the petitioner were comprehensive, however, we are mainly

concerned with the tender i.e. E-Tender No.27 for the year 2022-2023, that too, Serial No.5 out of the same to which the petitioner is concerned. Learned Advocate for the petitioner, on instructions, makes a statement that no further progress has been done in respect of the said tender, to which he had participated.

4. Taking into consideration the subject matter of the Petition, it can be disposed of by giving opportunity to the petitioner to make a representation to respondent No.2 within a period of one week. Respondent No.2 to decide the said representation within one month thereafter, taking into consideration the work at Serial No.5 of E-Tender No.27 for the year 2022-2023. Till then no further steps be taken in respect of the said E-Tender and after the decision on the representation is taken, it be informed to the petitioner within a period of one week thereafter.

5. In view of the aforesaid directions, the Writ Petition stands disposed of.

[S.G. CHAPALGAONKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE