

Jvs.

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

WRIT PETITION NO. 293 OF 2024

Priyank Enterprises	}	Petitioner
versus		
The State of Maharashtra & Ors.	}	Respondents

Mr. Vikramjit Garewal with Mr. Ajinkya Udane for the petitioner.

Mr. P. P. Kakade, Government Pleader with Mr. O. A. Chandurkar, Additional Government Pleader and Ms. G. R. Raghuwanshi, AGP for respondent no. 1.

Mr. Vishwanath Patil for respondents 2 to 8.

Mr. Chinmay Patil with Mr. Seoul Shah for respondent no. 9.

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

DATE: 25th APRIL 2024

P.C.:

1. The Court, on 22nd April 2024, passed the following order:-

"1. Learned counsel representing the Pune Municipal Corporation tenders copy of an email communication received by him from the Deputy Municipal Commissioner informing that the Corporation has taken a decision recalling the disqualification notice dated 15th December 2023, which is under challenge in this petition. The said email communication is taken on record.

*2. Stand over to **25th April 2024** to enable learned counsel for the respective parties to seek instructions on the said email communication."*

2. The email communication, as mentioned in our order dated 22nd April 2024, is extracted herein below: -

"The respondent corporation has taken a decision recalling the disqualification notice date 15/12/2023 put up on Pmc website disqualifying to petitioner Priyank Enterprises and respondent no. 11 Shree enterprises. The respondent corporation shall allow petitioner Priyank enterprises and the respondent no. 11 Shree enterprises to participate from the stage where they are disqualified. And thereafter eligible bidder shall be selected (as per the terms and conditions) for the tender no. PMC-463/2023.

Therefore you are requested to inform Hon.Court tomorrow to withdraw the disqualification notice dated 15/12/2023."

3. Learned counsel for the petitioner states that the petitioner shall deposit EMD amount by tomorrow.

4. In view of the aforesaid development, nothing needs to be adjudicated any further in this petition, which is hereby disposed of in terms of the statement made by learned counsel for the Corporation based on the email communication received by him.

(ARIF S. DOCTOR, J.)

(CHIEF JUSTICE)

Digitally signed
by JAYANT
VISHWANATH
SALUNKE
Date:
2024.04.25
19:38:32 +0530