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

WRIT PETITION NO. 2417 OF 2024

Tejas Constructions and
Infrastructure Pvt. Ltd. .. Petitioner

Versus

The Chandwad Municipal Council .. Respondent

Mr. D. U. Mirajkar a/w Mr. Vikas Kapile for petitioner.

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

DATE: 26th FEBRUARY, 2024

P.C.:

- 1.** Heard the learned counsel for the petitioner and perused the record available before.
- 2.** By instituting these proceedings under Article 226 of the Constitution of India, primarily, the grievance raised by the petitioner is in relation to inaction on the part of the Chief Officer of the Chandwad Municipal Council in not issuing the Site Visit Certificate to the petitioner, which, according to the learned counsel for the petitioner, has created obstruction in its participation in the e-Tender ID No.2023_DMA_973375_1 dated 20th December, 2023.

3. It has been stated by the learned counsel for the petitioner that one of the conditions of tender was that bidder should visit the site along with the Chief Officer or his representative before submitting the tender and get the Site Visit Certificate duly signed by the Chief Officer, however, despite repeated requests, the petitioner has not been issued the Site Visit Certificate by the Chief Officer of the Municipal Council which has curtailed its rights otherwise available to the petitioner under Article 19(1)(g) of the Constitution of India in as much as the petitioner has been obstructed to participate in the tender process.

4. When a query was put to the learned counsel for the petitioner as to what was the last date of submission of the tender, it has been stated that tender could have been submitted by 20th January, 2024. We are further informed, which is apparent from the tender summary report available on page 48 of the writ petition, that technical bid was opened on 31st January, 2024 and thereafter the financial bid was also opened 31st January, 2024.

5. If at all the petitioner had any grievance in relation to refusal to issue or withholding of the Site Visit Certificate by the Chief Officer of the Municipal Council, it ought to have

approached the Court in time. Once the tender process has been completed, it is too late in the day to entertain this writ petition. In our opinion, reliefs sought in the writ petition cannot be granted.

6. The writ petition is, thus, devoid of any merit, which is accordingly dismissed.

(ARIF S. DOCTOR, J.)

(CHIEF JUSTICE)

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signed by
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DASHARATH
PANDIT
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