

Jvs.

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

**INTERIM APPLICATION NO. 6449 OF 2024
IN
WRIT PETITION NO. 2445 OF 2024**

**WITH
WRIT PETITION NO. 2445 OF 2024**

HSCC (India) Limited	}	Applicant
in the matter between		
Health-O-Owner Pvt. Ltd.	}	Petitioner
versus		
The Commissioner, Medical	}	
Education and Ayush & Ors.	}	Respondents

Mr. Ashutosh Kumbhakoni, Senior Advocate with Mr. Ashutosh Kulkarni i/b. Mr. Sarthak Diwan for the applicant/ intervener.

Dr. Abhinav Chandrachud with Mr. Tushar Sonawane, Mr. Pranit Kulkarni, Ms. Pooja Satpute for the petitioner.

Mr. P. P. Kakade, Government Pleader with Mr. O. A. Chandurkar, Additional Government Pleader and Ms. A. A. Nadkarni, AGP for respondents 1 to 4.

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

DATE: 7th MARCH 2024

P.C.:

1. This interim application has been moved with the prayer to allow intervention by the applicant and also to implead the applicant as a party respondent.

2. The applicant is a public sector undertaking and has participated in the subject bid process.
3. Since the objection taken in the writ petition is that any tender process cannot be restricted only to the public sector undertakings, hence, we find it appropriate to allow the interim application.
4. The interim application is, thus, allowed. Accordingly, the applicant shall be impleaded as respondent no. 5. Necessary amendment shall be incorporated by the learned counsel for the petitioner during the course of the day. Re-verification is dispensed with.
5. Let affidavit in reply be filed by the respondents by 11th March 2023 after serving a copy thereof on the learned counsel for the petitioner by 10th March 2023, who may file rejoinder affidavit, if any, by the next date of listing.
6. Stand over to **12th March 2024 (High on Board)**.
7. The ad-interim relief granted earlier in terms of the statement made by the Under Secretary, Department of Medical Education shall continue to operate till the next date of listing.

JAYANT
VISHWANATH
SALUNKE

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JAYANT
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Date: 2024.03.07
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(ARIF S. DOCTOR, J.)

(CHIEF JUSTICE)