

Pdp

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

WRIT PETITION NO. 7393 OF 2023

M/s. V. M. Distributors

.. Petitioner

Versus

The State of Maharashtra & Ors.

.. Respondents

Mr. Pandurang Pol i/by Pol Legal Juris for petitioner.

Mr. P. P. Kakade, Government Pleader with Mr. O. A. Chandurkar, Addl. Govt. Pleader and Mrs. R. A. Salunkhe, AGP for respondents-State.

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

DATE: 24th JANUARY, 2024

P.C.:

- 1.** Heard learned counsel for the petitioner and the learned Government Pleader for the State-respondents.
- 2.** At the out-set, learned counsel for the petitioner states that the petitioner may be granted liberty not to press prayer clause (b), which is extracted hereunder: -

*"(b) This Hon'ble Court be pleased to issue a Writ of Mandamus or any other Writ or Order in the exercise of its writ jurisdiction and be a pleased call for the entire record and proceedings in respect tender dated 6.2.2023 issued by the Respondent No.2 at **Exhibit A**, and after perusal of the same this Hon'ble Court be pleased to direct the Respondents to qualify the petitioner technically thereby quash and set the disqualification orders dated 18th March 2023 (**Exhibit-B**) and grant work contracts to the Lowest Bidder in respect of the*

said tender dated 6.2.2023 for the supply of food grains and other materials to respective Groups to the Southern Region for the Central /District jails before the expiry of the bid validity.”

3. Liberty, as prayed for, is granted.

4. In respect of prayer clause (c) it has been argued by the learned counsel for the petitioner that against the order of blacklisting dated 16th March, 2022, the petitioner has already preferred an appeal before the Appellate Authority in terms of the provisions contained in the Government Resolution dated 1st December, 2016, which is still pending. His prayer is that the Appellate Authority may be directed to decide the said appeal expeditiously.

5. Thus, having regard to the nature of the prayer made, we dispose of the writ petition with a direction to the Appellate Authority to expedite the proceedings of the appeal said to have been preferred by petitioner against the order of blacklisting dated 16th March, 2022, a copy of which has been enclosed with the writ petition from pages 110 to 130, and take final decision on the appeal within two weeks from the date a copy of this order is furnished to the Appellate Authority.

(ARIF S. DOCTOR, J.)

(CHIEF JUSTICE)