

VRJ

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

WRIT PETITION NO.11893 OF 2024

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LTPS Infra Pvt. Ltd. & Ors. ... Petitioners

V/s.

City & Industrial Development & Ors. ... Respondents

Mr. Vijay Kurle for the petitioners.

Mr. Ashutosh M. Kulkarni with Mr. Akshay R. Kulkarni for respondent Nos.1 and 2 – CIDCO.

Mr. P. P. Kakade, Government Pleader with Mr. O. A. Chandurkar, Additional Government Pleader and Ms. G. R. Raghuwanshi, AGP for the State – respondent No.3.

**CORAM : DEVENDRA KUMAR UPADHYAYA, CJ &
AMIT BORKAR, J.**

DATED : AUGUST 21, 2024

P.C.:

1. Issue notice to the respondents, returnable on **3 September 2024**.

2. Mr. Ashutosh Kulkarni, learned counsel, has put in appearance on behalf of respondent Nos.1 and 2 and waives service of notice. Learned Additional Government Pleader has put in appearance on behalf of the State – respondent No.3 and waives service of notice.

3. One of the claims put forth in this writ petition is that the petitioners who are the companies and other such entities formed by the project affected persons have got preferential rights in the tenders floated by respondent No.1. However, no such policy has been enclosed with this writ petition. To the contrary, Mr. Ashutosh Kulkarni, learned counsel representing respondent Nos.1 & 2 has denied existence of any such policy.

4. Learned counsel for the petitioners states thereafter that in all tenders floated by CIDCO earlier for last about 20 to 25 years, this preference has been made available to the project affected persons or to the entities formed by such persons. In our prima facie opinion, that itself will not entitle the petitioners to claim any preferential right in the matter of tender.

5. At this juncture, the learned counsel for the petitioners states that he will file an affidavit bringing on record the policy whereby CIDCO has been giving preference to the project affected persons in the matter of contract.

6. Stand over to **3 September 2024**.

(AMIT BORKAR, J.)

(CHIEF JUSTICE)