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

WRIT PETITION NO. 12501 OF 2024

**Mohanlal Mathrani Construction
Pvt. Ltd.**

.. Petitioner

Versus

The Chief Engineer, MIDC & Ors.

.. Respondents

Mr. Yuvraj Narvankar for petitioner.

Mr. P. P. Kakade, Government Pleader with Mr. O. A. Chandurkar, Addl. Govt. Pleader and Mrs. G. R. Raghuwanshi, AGP for respondent no.4-State.

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

DATE: 5th SEPTEMBER, 2024

P.C.:

1. Issue notice to the respondents, returnable on **12th September, 2024**. To be listed **High on Board**. Hamdast permitted.

2. On behalf of respondent no.4, learned Additional Government Pleader has put in appearance and waives service of notice.

3. It has been stated by the learned counsel for the petitioner that the decision communicated to the petitioner for declaring him not qualified in the technical bid as per Exhibit-D is that the petitioner did not submit supporting documents of condition PQB, whereas the said document was submitted

by the petitioner, which is apparent from the bid submission is enclosed with this writ petition. The document at page 202 depicts that PQB-existing commitments and on-going works was submitted. It is, thus, submission on behalf of the petitioner that the reason indicated in the communication dated 28th August, 2024 for non-suiting the petitioner in the technical bid is contrary to record.

4. In the aforesaid view of the matter, we provide that till the next date of listing the work order, if already not issued, shall not be issued pursuant to the subject tender.

(AMIT BORKAR, J.)

(CHIEF JUSTICE)

Digitally
signed by
PRAVIN
DASHARATH
PANDIT
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