

AGK

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.13743 OF 2024

Digitally
signed by
ATUL
GANESH
KULKARNI
Date:
2024.10.07
14:42:06
+0530

Sagar Sampat Dhatrak ... Petitioner
V/s.
The State of Maharashtra & Ors. ... Respondents

Mr. Rahul V. Shinde for the petitioner.

Mr. P.P. Kakade, Government Pleader, with Mr. O.A. Chandurkar, Additional G.P. and Mrs. G.R. Raghuwanshi, AGP for respondent No.1-State.

Mr. Amey Deshpande, for respondent Nos.2 & 3-Mahagenco.

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

DATED : OCTOBER 7, 2024

P.C.:

1. Learned counsel representing respondent No.2 has stated that the subject-tender was opened for two category of participants, namely, (i) project affected/land affected agencies/persons; and (ii) local brick manufacturers. He has also stated that the petitioner participated in the tender process declaring himself to be a project affected/land affected person; however, valid certificate as per the requirement of the tender conditions evidencing that the petitioner is a project affected/land affected person was not produced.

2. In light of the aforesaid submission, it has been argued by the learned counsel for respondent No.2 that one who is not eligible cannot be permitted to challenge the tender.
3. Learned counsel for the petitioner prays that he may be granted time till tomorrow to ascertain as to whether the petitioner, while participating in the subject-tender process, had furnished requisite certificate/document depicting that he is a project affected/land affected person.
4. Stand over to **8th October 2024.**

(AMIT BORKAR, J.)

(CHIEF JUSTICE)