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

WRIT PETITION NO. 13743 OF 2024

Sagar Sampat Dhatrak

.. Petitioner

Versus

State of Maharashtra & Ors.

.. Respondents

Mr. Rahul V. Shinde for petitioner.

Mr. P. P. Kakade, Government Pleader with Mr. O. A. Chandurkar, Addl. Govt. Pleader and Ms. G. R. Raghuwanshi, AGP for respondent no.1-State.

Mr. Amey Deshpande for respondent nos.2 and 3.

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

DATE: 8th OCTOBER, 2024

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P.C.:

1. Heard learned counsel for the petitioner, learned Government Pleader representing the respondent no.1-State and Mr. Rahul Shinde, learned counsel representing the respondent nos.2 and 3.

2. On 7th October, 2024, the Court passed the following order: -

"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.**"

3. In response to the said order, learned counsel for the petitioner, on instructions, states that the requisite certificate depicting petitioner to be a project affected/land affected agency/person was not filed by the petitioner while submitting his bid. Accordingly, the petitioner is not eligible as he does not fulfill the requisite terms and conditions of the tender notice.

4. In this view, this petition, at the behest of the petitioner, cannot be entertained.

5. The writ petition is, thus, dismissed.

(AMIT BORKAR, J.)

(CHIEF JUSTICE)