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

PUBLIC INTEREST LITIGATION NO. 62 OF 2024

Vikas Sadashiv Lawande

.. Petitioner

Versus

The State of Maharashtra & Ors.

.. Respondents

Mr. Zal Andhyarujina, Senior Advocate i/by Mr. Suryajeet P. Chavan a/w Mr. Shrey Sacheti, Mr. Deepak Bodhle, Ms. Yadnaseni R. Gaikwad, Ms. Jeevanvidya Joshi and Ms. Vishakha V. Shelar, for petitioner.

Dr. Birendra B. Saraf, Advocate General a/w Mr. P. P. Kakade, Government Pleader with Mr. O. A. Chandurkar, Addl. Govt. Pleader, Mrs. G. R. Raghuwanshi, AGP and Mr. Kushal Amin, "B" Panel for respondent nos.1 to 4.

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

DATE: 7th MAY, 2024

P.C.:

1. Pursuant to our order passed yesterday, i.e., 6th May, 2024, the petitioner is present in person. We have interacted with him and made certain queries. He admits that he is a farmer and his yearly income varies from Rs.50,000/- to Rs.1 lakh. He has also admitted that he is a social as also political worker associated with a political party.

2. In the writ petition, the petitioner has stated that the expenses of this PIL petition, including the lawyer's fee is

being borne by the petitioner. When the Court inquired from him as to what was the fee paid to Mr. S. Bhuvan Chandu, said to be a Cyber Forensic Expert who has submitted a report on affidavit, the petitioner submits that the said Forensic Expert was engaged through one of his lawyer friends.

3. Learned Advocate General has, however, doubted the credentials of the petitioner and has submitted that the renewed tender process was initiated in the month of January, 2024 and if any party intending to participate in the tender process was aggrieved in any manner with the tender conditions, it was for the said party to have challenged the same by instituting appropriate proceedings, however, except for one writ petition, namely, Writ Petition (L) No. 786 of 2024, no other challenge to the tender conditions has been made by any other tenderer or party intending to participate in the tender process. He has further stated that after finalization of the tender process, the work order has also been issued on 15th April, 2024, whereas this PIL petition has been filed in the Registry on 16th April, 2024 and, thus, according to the learned Advocate General, the time chosen for filing this petition, which is camouflaged as a PIL, itself dis-entitles the petitioner to seek any relief from this Court by instituting the present proceedings.

4. Having regard to the overall facts and circumstances of the case, we are of the opinion that cognizance of the issues raised in the PIL petition should be taken but not at the instance of the petitioner.

5. Accordingly, Office is directed to recast the cause title of this PIL petition by removing the petitioner from the array of

parties. The Office shall register this PIL petition with the following cause title:

“In Re: Contract for Emergency Medical Services.”

6. We request Shri Venkatesh Dhond, a Senior Advocate practicing in this Court, to assist the Court in the matter as *Amicus*.

7. Office is directed to provide a complete copy of the paper book of this PIL petition to Shri Dhond within a week.

8. Let the notices be issued to the respondents, returnable on **26th June, 2024**.

9. On behalf of the respondent nos.1 to 4, learned Advocate General, assisted by learned Government Pleader, has put in appearance and waives service of notice.

10. Let affidavits-in-reply be filed by the respondents within four weeks, to which response, if any, may be filed by the learned *Amicus* by the next date of listing.

(ARIF S. DOCTOR, J.)

(CHIEF JUSTICE)