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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO. 4130 OF 2024

Shree J. B. Grain Dealer Association .. Petitioner

Versus

The Union of India & Ors. .. Respondents

Mr. Mayur Khandeparkar a/w Nakul Jain, Nivit Srivastava a/w Amit Hailkar i/by Maniar Srivastava Associates for petitioner.

Ms. Leena Patil for respondents.

Mr. Ankit Chauhan, Junior Engineer, Jig & Tool, Lower Parel Workshop, Western Railway, is present.

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

DATE: 4th SEPTEMBER, 2024

P.C.:

1. Learned counsel for the petitioner has tendered a draft amendment, which is taken on record. He prays that leave may be granted to amend the petition in terms of the draft amendment.

2. Leave, as prayed for, is granted. Let the amendment, in terms of the draft amendment, shall be incorporated by the learned counsel for the petitioner during the course of the day. Re-verification is dispensed with.

3. Issue notice to the respondents.

4. Ms. Leena Patil, learned counsel has put in appearance on behalf of the respondents and waives service of notice. She

prays for and is granted three weeks' time to file affidavit-in-reply. A week's time thereafter shall be available to the learned counsel for the petitioner to file rejoinder-affidavit, if any.

5. Stand over to 4th October, 2024.

6. Our attention has been drawn by the learned counsel for the petitioner to the operative portion of the impugned order dated 19th June, 2024 passed by the Chief Workshop Manager, Carriage Repair Workshop, Lower Parel, Mumbai, which debars the petitioner from participation in bid in any work/service being tendered by Carriage Repair Workshop-Western Railway, Lower Parel, Mumbai. He has stated that therefore petitioner's debarment order should not be construed by any other Division or Organization of Railways as debarment from participation of the petitioner in tenders which may be floated by other Divisions and Organizations of Railways.

7. Learned counsel representing the respondents, on instructions received from Mr. Ankit Chauhan, Junior Engineer, Jig & Tool, Lower Parel Workshop, Western Railway, who is also present in the Court, states that the impugned debarment order will be confined to the work/service which may be tendered by the Carriage Repair Workshop, Lower Parel, Mumbai and will have no application so far as the other Divisions or Organizations of the Railways are concerned.

8. We take note of the above statement made by the learned counsel for the respondents.

(AMIT BORKAR, J.)

(CHIEF JUSTICE)