



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH : NAGPUR.**

WRIT PETITION NO. 2927 of 2024

Aditya Rajue Donade

VS.

The State of Maharashtra and others.

Office Notes, Office Memoranda of Court's or Judge's
Order
Coram, appearances, Court's Orders
or directions and Registrar's order

Shri Bhushan Sachdev, Advocate for petitioner.

Shri S.M.Ukey, Additional Government Pleader for respondent nos. 1 and 2.

CORAM :- NITIN W. SAMBRE AND ABHAY J. MANTRI, JJ.

DATE :- 3rd MAY, 2024.

Heard Mr.Bhushan Sachdev, learned counsel appearing for the petitioner. According to him, the respondent-Municipal Council (Nagar Parishad) floated tender for collection of revenue from the stall owners who are operating in the weekly market. The petitioner being the highest bidder who quoted Rs.Eleven Lakhs was legitimately expecting the award of contract.

2. Instead of awarding the contract, though the petitioner being the highest bidder, the respondent-Municipal Council has decided to issue re-tender.

3. He would claim that the aforesaid decision is illegal for the reasons; (a) that a complete transparency was maintained in the tender process wherein the petitioner offered highest bid of Rs.Eleven Lakhs and (b) there was legitimate expectation in favour of the petitioner.

4. Mr. Ukey, learned Additional Government Pleader appearing for the respondent nos. 1 and 2 opposed the aforesaid prayer as according to him the respondent can always cancel the tender by recording reasons.

5. We have appreciated the aforesaid submissions.

6. While cancelling the tender in which the petitioner has participated, the Standing Committee of the Nagar Panchayat (Municipal Council) recorded reasons that the offer received from the participants was lower than what was received in the last couple of years. Instead of increasing revenue, the offer received results in reduction of the revenue, has proceeded to cancel the tender process.

7. As the respondent-Standing Committee of Nagar Panchyat has already furnished reasons for cancellation of tender process, which are very much appealable to the germane cause, we see no reason to cause indulgence. The writ petition lacks merits and it is dismissed as such. No costs.

(ABHAY J. MANTRI, J.)

(NITIN W. SAMBRE, J.)

Andurkar.