



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

Writ Petition (WP) No. 640 of 2024

Satnam Construction through Prop. Umesh Santoshrao Mahant and
others

Versus

State of Maharashtra, through its Secretary, Soil and Water Conservation,
Department, Mumbai and others

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

Court's or Judge's Order

Shri Abhay Sambre, Advocate for the petitioner.
Shri D.V.Chauhan, Government Pleader for the
respondent nos. 1 and 2.

**CORAM : ANIL S. KILOR, AND
SMT. M.S.JAWALKAR, JJ.
DATED : 5th MARCH, 2024.**

Heard.

2. Shri Chauhan, learned Government Pleader makes a statement that there is no challenge at all to the resolution passed in Meeting 63 and also Meeting 64 wherein decision of clubbing of works was taken. It is submitted that in absence of such challenge the petition deserves to be dismissed.

3. Thereupon, Shri Sambre, learned counsel for the petitioner seeks time to amend the petition to raise a challenge to the resolution in Meetings 63 and 64.

4. We are not inclined to grant time to amend the petition, in view of a right to file a substantive petition challenging such resolutions is available to the petitioners.

5. Further reason to deny such prayer is that in the present matter the status quo is operating against the development works and there is every likelihood that any time the Lok Sabha elections would be declared and in that case Code of Conduct will be made applicable. In that eventuality, the development works would be hampered.

6. In the circumstances, in absence of challenge raised to the policy of clubbing the works for issuance of tenders, the petition is meritless, hence, it is dismissed.

7. However, the petitioners are at liberty to raise a challenge to the policy of clubbing the works together, independently by filing substantive writ petition, if it is permissible under the law.

8. The writ petition is dismissed, consequently, status quo order is vacated.

[M.S.JAWALKAR, J.]

[ANIL S. KILOR, J.]