



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

WRIT PETITION NO. 4017 OF 2024

Kulkarni and Sons through its sole proprietor Mr. Jayat Madhukar Kulkarni Vs. Union of India,
through its Secretary, Ministry of Tourism, Transport Bhavan, New Delhi and others)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. H.H. Jichkar, Advocate for petitioner.

Mr. N.S. Deshpande, Deputy Solicitor General of India for respondent No.
1 and 2.

Ms. Mrunal Naik, Assistant Government Pleader for respondent No. 3.

**CORAM : NITIN W. SAMBRE &
ABHAY J. MANTRI, JJ.**

DATED : 29-07-2024

Heard Mr. Jichkar, learned Counsel appearing for
the petitioner.

2. According to Mr. Jichkar, the learned Counsel for the petitioner, the services of the petitioner were hired for improvement/development to be carried out at Paradsinga which is a religious place. It is submitted that the work was to be conducted under the aegis of Nagpur Metropolitan Region Development Authority (NMRDA) as the funds were sanctioned by the Central Government. According to him, over and above the work approved and recommended by the Project Consultant Management, additional work was directed to be carried out by the petitioner, which was not earlier part of the tender.

3. Such work was directed to be carried out as per the In-charge Engineer as can be inferred from the communication dated 27.9.2021 issued by the

Superintending Engineer, NMRDA to the petitioner.

4. Mr. Jichkar, learned Counsel for the petitioner would claim that the respondents are not willing to pay the bills of the additional work executed by the petitioner. According to him, recommendations are already made by the Chairman of NMRDA, so also the Superintending Engineer for processing the bills.

5. In this backdrop, issue notice to the respondents, returnable on 9.9.2024.

6. Mr. Deshpande, the learned Deputy Solicitor General of India waives service of notice for respondent Nos. 1 and 2. Ms. Naik, the learned Assistant Government Pleader waives service of notice for respondent No. 3.

7. We direct the Superintending Engineer, NMRDA to file his own affidavit.

(ABHAY J. MANTRI, J.)

(NITIN W. SAMBRE, J.)