



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.4776 OF 2025

**WATER FRONT CONSTRUCTIONS PRIVATE LIMITED
THROUGH ITS AUTHORIZED PERSON
VERSUS
MARATHWADA KHADI GRAMDYOG SAMITI AND ANOTHER**

...
Advocate for the Petitioner : Mr. Santosh B. Gastgar
AGP for Respondents: Mr. R.K. Ingole

...
**CORAM : MANISH PITALE &
Y. G. KHOBRAGADE, JJ.**

DATE : 21.07.2025

PER COURT:

1. By this petition multiple prayers are made by the Petitioner which include a challenge to a letter issued by the Respondent No.1 terminating/cancelling a tender allegedly issued in favour of the Petitioner as far back as on 09.01.2013. The impugned communication is dated 10.05.2024.

2. The other prayer pertains to an order passed by a competent civil court on the basis of a compromise between the Respondent No.1 and third parties on the basis of permission granted by the Joint Charity Commissioner by an order dated 12.04.2022. Thereupon, the Petitioner has prayed for a mandamus against the Respondent No.2 – Joint Charity Commissioner, to decide certain pending applications and during the pendency of the petition, the Petitioner has sought stay of the impugned

communication, order and the pending proceedings.

3. We fail to understand how such a writ petition under Article 226 of the Constitution of India, at the behest of the Petitioner is maintainable against the Respondents. The Respondent No.1 is Marathwada Khadi Gramdyog Samiti which is a public trust. The Respondent No.2 is Joint Charity Commissioner performing statutory duties.

4. It is not as if the petitioner is challenging a quasi judicial order passed by the Respondent No.2 and that is perhaps the reason why the learned single Judge of this Court by an order dated 07.05.2025 refused to entertain the writ petition as being maintainable before the learned single Judge of this Court.

5. The question as to whether the Respondent No.1 could have issued the impugned letter, terminating/cancelling tender issued as far back as on 09.01.2013, would give rise to the disputed questions of fact, which we in writ jurisdiction decline to entertain.

6. In view of the above, the writ petition is dismissed. Needless to say that the Petitioner can avail such remedies as permissible in law, including approaching the competent civil court. Pending applications, if any, also stand disposed of.

(Y. G. KHOBRAGADE, J.)

(MANISH PITALE, J.)