



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

25 WRIT PETITION NO. 8763 OF 2023

SWABHIMAN SUSHIKSHIT BEROJGAR SEVA SAHAKARI SANSTHA
MARYADI KANNAD

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS

...

Mr. Y.H. Lagad h/f. Ms. Ahilya Nalawade – Advocate for Petitioner
Mr. S.V. Hange – AGP for Respondent Nos.1 to 4, State

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CORAM : MANGESH S. PATIL AND
PRAFULLA S. KHUBALKAR, JJ.

DATE : 20th FEBRUARY, 2025

PER COURT :

. The petition arises out of tendering the notice issued by respondent No.4.

2. However, learned A.G.P., on instructions, submit that additional affidavit-in-reply is filed by respondent No.4 adverting our attention to the statements in paragraph Nos.2 and 3 which read as under :

2. I say and submit that, by way of present writ petition the petitioner is challenged the tender notice issued by the respondent No.4 which is annexed as Exhibit-B in the writ petition for providing breakfast, lunch/dinner and tea, coffee to the Government officer those who are attend the training in this office. The said tender notice was issued for

the period of 01.09.2023 to 31.08.2024. This Hon'ble High Court by order dated 24.07.2023 was pleased to grant status quo and therefore no further process has completed about the said tender process. In this tender process no technical bid or financial bid been opened of any of the bidder and therefore, due to the status quo order passed by this Hon'ble High Court no further process is taken placed.

3. I say and submit that, as said tender process was for the period of 01.09.2023 to 31.08.2024 and said period is now over. The present respondent No.4 may be allowed to cancel the said tender process. Thereafter, answering respondent is ready to undertake fresh tender process.

3. He submits that the period for performance is already over. Nothing survives.

4. Learned A.G.P. further submits that, in fact, under the protection in the form of *ad interim relief* the petitioner was able to and still continues to undertake the work.

5. In the light of above, though the learned advocate for the petitioner persists with continuing with the petition, nothing survives. The Writ Petition is disposed of.

(PRAFULLA S. KHUBALKAR, J.)

(MANGESH S. PATIL, J.)