



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

WRIT PETITION NO.12485 OF 2025

India Agro Farms Co-operative Society
Ltd., Through its Chairman/Secretary,
Nathu S/o Dhoman Patil,
Age-72 years, Occupation: Labour,
R/o-Shop No.25, Khanderao Mandir
Road, Shirpur, Taluka-Shirpur,
District-Dhule.

...PETITIONER

VERSUS

- 1) The State of Maharashtra,
Through the Secretary for
Food, Civil Supply and Consumer
Protection Department,
Mantralaya, Mumbai,
- 2) The Collector, Dhule,
District-Dhule,
- 3) The District Supply Officer,
Dhule, District-Dhule.

...RESPONDENTS

...
Mr. Sanket Kulkarni Advocate h/f. Mr. Ujwal S. Patil Advocate
for Petitioner.
Mr. R.S. Wani, A.G.P. for Respondent Nos.1 to 3.
...

**CORAM: SMT. VIBHA KANKANWADI AND
HITEN S. VENEGAVKAR, JJ.**

DATE : 3rd NOVEMBER, 2025

ORDER [PER SMT. VIBHA KANKANWADI, J.] :

1. Heard learned Advocate appearing for the petitioner and learned AGP appearing for the respondents.

2. Learned AGP has taken us through the decision in Writ Petition No.10727 of 2023 and companion matters in which the present petitioner has also filed Civil Application No.15208 of 2023 for intervention as well as separate Writ Petition bearing No.8543 of 2024, decided by this Court on 12th February 2025. According to the learned AGP, the present petitioner by the minutes of the meeting held on 15th September 2023, was held to be ineligible. Learned AGP then submitted that certain observations in respect of the condition that was challenged in another Writ Petition, have been made in Paragraph No.18 of the order passed in Writ Petition No.10727 of 2023.

3. Here it is to be noted that as regards the Writ Petition No.8543 of 2024 that was filed by the petitioner, there is a separate paragraph i.e. Paragraph No.20, which runs thus:-

"20. Writ Petition No.8543 of 2024 is pertaining to the ad-hoc arrangement made by the Government till the dispute is

decided by this Court and granting ad-hoc contract to respondent No.4. Since the order impugned before this Court was stayed, it was a time gap arrangement to fulfill the object of the tender. No relief as prayed can be granted in view of the effect of the decision of Writ Petition No.10727 of 2023. Hence, the writ petition stands dismissed.”

4. It cannot be, therefore, stated that in the said Writ Petition No.8543 of 2024 there was challenge to the minutes of the meeting. Further, as regards the tender process is concerned, in Paragraph No.21 of the order passed in Writ Petition No.10727 of 2023, respondent No.2 / Collector, Dhule was directed to proceed with the tender process according to law and learned AGP admits that the said tender process has not yet been completed.

5. Present Writ Petition has been filed for following reliefs:-

“C) By way of appropriate writ, order or directions in the like nature, this Hon’ble High Court may kindly direct the Respondents to take appropriate decision on the communication Dt. 01/02/2024 of Respondent No.1 Consumer Protection department thereby stayed the tender process for allotment of tender of loading and unloading of food and civil supply in Dhule district. (Exh.H).

D) By way of appropriate writ, order or directions in the like nature, this Hon’ble High Court may kindly direct the Respondent No.1 & 2 to complete the Tender process of

Tender No.01/2023 for allotment of tender of loading and unloading of food and civil supply in Dhule district.”

6. As regards prayer Clause C) is concerned, it is in respect of the directions to the respondents to take appropriate decision on the communication dated 1st February 2024. The said communication was referred in the order passed in earlier Writ Petition No.10727 of 2023, in Paragraph No.7. Direction was prayed in the said Writ Petition itself for completing the process of tender in question, to which as earlier stated, the directions were given to respondent No.2 Collector to proceed with the tender process. Under such circumstance, we are of the opinion that there is no further necessity to clarify the position as the alleged communication dated 1st February 2024 by respondent No. 1 will not amount to stay after the decision was taken by this Court on 12th February 2025. Respondent No.2 Collector, Dhule was duty bound to take further proceedings or process according to the law in respect of the tender.

7. In view of this position, though the learned AGP is now giving copy of some communication from Desk Officer of Food, Civil Supply and Consumer Protection Department, dated 16th October 2025 to District Supply Officer, Dhule communicating

that since the tender process that was directed under Government Resolution dated 6th March 2023, was for three years which would come to an end and the Government is planning to frame new guidelines and thereafter the new tender process can be initiated, yet we are of the opinion that the present tender process which was undertaken, cannot be stalled. We, therefore, dispose of the Writ Petition with direction to respondent No.2 – Collector, Dhule to complete the tender process within a period of TWO MONTHS from today.

[HITEN S. VENEGAVKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

asb/NOV25