

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 9334 OF 2025**

Kailash Electrical (India) Private Limited

.....*Petitioner*

: Versus :

State of Maharashtra and Anr.

....*Respondents*

Mr. V. P. Sawant, Senior Advocate *i/b Mr. Rohan Kadam and Mr. Siddharth Karpe, for the Petitioner.*

Ms. Vrishali Raje, *for Respondent No.1.*

Mr. Ketan Joshi *with Mr. Shubham Saraf and Mr. Tanmay Deshmukh i/b Mr. Pavan S. Patil, for Respondent No.2.*

CORAM : ALOK ARADHE, CJ. &

SANDEEP V. MARNE, J.

DATED : 14 JULY 2025.

P.C :

1) Heard with the consent of the learned counsel appearing for the parties.

2) In this Writ Petition, the Petitioner has assailed the validity of RTI communication dated 26 June 2025 issued by the Panchgani Giristhan Municipal Council (*hereinafter referred to as 'Municipal Council'*) by which the work order issued in favour of the Petitioner has been cancelled on the

ground that the Petitioner has failed to complete the work within the stipulated time.

3) Facts giving rise to the petition which have been briefly stated are that, Municipal Council had on 1 February 2024 issued an E-Tender for shifting the underground high tension and low-tension lines from Panchgani sub-station to Dalwiche House in the minutes of the meeting of the Municipal Council. The Petitioner was awarded the contract. The Petitioner was required to complete the work within a period of 10 months. The time limit for execution of the work expired in the month of December 2024 which was extended upto 25 March 2025. Thereafter, the Municipal Council, by notice dated 26 June 2025, had cancelled the work order issued in favour of the Petitioner and hence this petition.

4) Mr. Sawant, learned Senior Advocate appearing for the Petitioner submits that the Municipal Council had on 23 June 2025 extended the time for completion of the work upto 3 July 2025. However, the work order was cancelled on 26 June 2025 itself. It is further submitted that the Petitioner has completed the construction work. Mr. Sawant, therefore prays that the impugned order be set aside.

5) Mr. Joshi, the learned counsel for the Respondent-Municipal Council, on instructions, submits that the Committee of the Officers of the Municipal Council have carried out the site inspection in which it has been found that the Petitioner has completed the work and therefore the Municipal Council shall withdraw the impugned communication dated 26

June 2025 with liberty to make deductions from the Petitioner with regard to delay in execution of the work.

6) In view of the aforesaid submissions and in view of stand taken by the Municipal Council, we deem it appropriate to issue following directions :

(i)The Municipal Council shall withdraw the communication dated 26 June 2025 within a period of one week from today.

(ii)The Petitioner shall be at liberty to submit the bills in respect of the work which it has carried out which will be dealt with by the Municipal Council by appropriating the amount of damages for delay in execution of the work.

(iii)All contentions of the parties are kept open.

7) With the aforesaid directions, the petition is disposed of.

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[SANDEEP V. MARNE, J.]

[CHIEF JUSTICE]