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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION****WRIT PETITION NO. 826 OF 2024****Gajra Home Builders Pvt. Ltd. .. Petitioner****Versus****State of Maharashtra & Ors. .. Respondents**

Mr. R. D. Soni a/w Mr. Vipin Kasle and Sonali Dahotre
for petitioner.

Mr. G. S. Hegde, Senior Advocate i/by Ms. Pinky
Bhansali for respondent no.2-CIDCO.

Mr. O. A. Chandurkar, Addl. Govt. Pleader a/w Mr. M. M.
Pabale, AGP for respondent no.1 and 3-State.

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**CORAM: ALOK ARADHE, CJ. &
BHARATI DANGRE, J.**

DATE: 22nd JANUARY, 2025

P.C.:

1. Respondent No.2- CIDCO had published an advertisement for e-Tender-cum-e-Auction for lease of 19 residential-cum-commercial user plots in Kharghar and Panvel Nodes of Navi Mumbai. The petitioner had submitted its bid, however, despite being highest bidder, the bid of the petitioner has been rejected.

2. Learned counsel for the petitioner submits that action of respondent no.2 can be tested on the touchstone of Article 14 of the Constitution of India and the respondent no.2 has taken different stands at the initial stage and thereafter in pursuance of the order of this Court in earlier round of litigation as well as in the reply affidavit, which has been filed

before this Court. It is further submitted that a fresh tender has been issued, which is likely to be opened on 23rd January, 2025.

3. In response, learned senior counsel for the respondent no.2 submits that the bids received in pursuance of the fresh notice inviting tender shall not be opened before 4th February, 2025. He prays for short accommodation to seek instructions.

4. The aforesaid statement made by the learned senior counsel for respondent no.2 is placed on record.

5. List on **30th January, 2025.**

(BHARATI DANGRE, J.)

(CHIEF JUSTICE)