

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO. 13782 OF 2024**

Uddhav Yashwant Dhage Patil

... Petitioner

**V/s.**

The State of Maharashtra through  
Chief Secretary and Ors.

... Respondents

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Mr. Shrikrishna Ganbavale with Shubham Kalyan Kanade for Petitioner  
Mr. O.A. Chandurkar, Addl.G.P with Ms. G.R. Raghuwanshi, AGP for  
Respondent - State

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**CORAM : ALOK ARADHE, CJ. AND  
M.S. KARNIK, J.**

**DATE : 28<sup>th</sup> APRIL 2025**

**P.C. :**

1. Heard learned Counsel for the parties.
2. This Writ Petition filed under Article 226 of the Constitution of India seeks the following reliefs :-

“(a) This Hon’ble Court be pleased to issue a writ of mandamus or writ in the nature of mandamus or any other appropriate writ, order and/or direction under Article 226 of the Constitution of India, 1950, directing the Respondent Nos.1,3 and 4, to consider and adjudicate the representations dated 07.06.2024, 20.06.2014 and 27.06.2024 of the Petitioner, within a stipulated time frame;

(b) This Hon'ble Court be pleased to issue a writ of mandamus or writ in the nature of mandamus or any other appropriate writ, order and/or direction under Article 226 of the Constitution of India, 1950, directing the Respondent Nos.1 to 3 to formulate standard operating procedure qua the tenders published and work undertaken by the office of the Respondent Nos. 4 to 7;

(c) This Hon'ble Court be pleased to call for all the record and proceeding related to the payments made by the office of Respondent Nos. 4 to 7 for the last 10 years more particularly of the work undertaken by the office of the Respondent Nos. 4 to 7;

(d) This Hon'ble Court be pleased to issue a writ of mandamus or writ in the nature of mandamus or any other appropriate writ, order and/or direction under Article 226 of the Constitution of India, 1950, initiate an inquiry of the work undertaken by the office of the Respondent Nos. 4 to 7 by or under committee headed by Retired High Court Judge or by an officer of the rank of Secretary and take action against the erring Respondents and the contractors and/or if any inquiry conducted earlier, the reports of the same may be placed before this Hon'ble Court;

(e) This Hon'ble Court be pleased to issue a writ of mandamus or writ in the nature of mandamus or any other appropriate writ, order and/or direction under Article 226 of the Constitution of India, 1950, directing to conduct an audit of the payments made by the office of the Respondent Nos. 4 to 7 for the last 10 years more particularly of the work undertaken by the office of the Respondent Nos. 4 to 7;

(f) This Hon'ble Court be pleased to issue a writ of mandamus or writ in the nature of mandamus or any other appropriate writ, order and/or direction under Article 226 of the Constitution of India, 1950, directing the Respondents to refrain from making any payments against the illegal tenders; and

(g) This Hon'ble Court be pleased to issue a writ of mandamus or writ in the nature of mandamus or any other appropriate writ, order and/or direction under Article 226 of

the Constitution of India, 1950, directing the Respondent Nos. 4 to 7 to refrain from publishing fresh tenders qua the aforesaid works.

3. The Petitioner claims to be a News Reporter and an Agriculturist. Mr. Ganbavale, learned Counsel submits that the Petitioner had addressed a representation to Respondent No.4 informing him about the irregularities and illegalities in carrying out the works in respect of the contracts undertaken by the Public Works Division which are subject matter of this Petition. Mr. Ganbavale submits that despite making several representations, as reflected in the prayer clauses reproduced hereinabove, the Respondents have failed to take any action on the representations. Mr. Ganbavale invited our attention to a communication dated 19<sup>th</sup> July 2024, by which the Petitioner was informed that the Petitioner having failed to furnish any reliable materials along with the representation, is one of the cause for not taking any action.

4. Mr. Ganbavale submits that all the entire materials which forms part of the Petition was placed before the Executive Engineer which is not adverted to.

5. We have heard Mr. Chandurkar, learned AGP appearing for the Respondent. Learned AGP tried to justify the order dated 19<sup>th</sup> July 2024 passed by the Executive Engineer, Integrated Division (PWD).

6. In our opinion, the materials which are part of the Petition is required to be looked into by the said Executive Engineer. The matter needs to be examined further by the Executive Engineer.

7. We, therefore, dispose of the Petition by the following order :-

(a) This Petition itself and the materials annexed to the Petition be considered as a representation by the Executive Engineer, Integrated Division (PWD), Mumbai.

(b) The Executive Engineer to consider these materials and take an informed decision on the representation as early as possible. The Petitioner is willing to render all possible assistance, if called upon to do so.

(c) We have not expressed any opinion on the merits of the Representation/s.

8. With these directions, the Petition is disposed of.

( M.S. KARNIK, J. )

( CHIEF JUSTICE )