

## IN THE HIGH COURT OF JUDICATURE AT BOMBAY

## CIVIL APPELLATE JURISDICTION

## WRIT PETITION NO. 14245 OF 2024

## ALONGWITH

## INTERIM APPLICATION NO. 15600 OF 2024

Vidya Sahyog and Anr.

.....*Petitioner*: *Versus* :

The State of Maharashtra through  
the Principal Secretary and Ors.

....*Respondents*

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**Mr. Rohan Surve** with Ms. Hoshita B.Jangid, for the Petitioner.

**Mrs. Neha S. Bhide**, Government Pleader with Mr. O.A. Chandurkar,  
Additional Government Pleader and Ms. G.R. Raghuwanshi, AGP for  
Respondent Nos.1 to 4-State.

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CORAM : ALOK ARADHE, CJ. &amp;

SANDEEP V. MARNE, J.

DATED : 8 AUGUST 2025.

P.C :

1) In this Writ Petition, the Petitioner has prayed for the following reliefs :

a) By an appropriate writ, order or direction of this Hon'ble Court, the Government Resolution dated 9<sup>th</sup> December 2022 [Exh. "D" hereto]

issued by the Industries, Energy and Labour Department, State of Maharashtra be quashed and set aside.

b) By an appropriate writ, order or directions of this Hon'ble Court, Work Order dated 15<sup>th</sup> March 2024 issued by the Respondent No. 4 i.e. Commissioner, Tribal Development Department, State of Maharashtra, Nashik [Exh. "L" hereto] thereby procuring the required material i.e. School Uniform, P.T. Dress, Night Dress etc. to be supplied to the students of the Government Aashram Schools governed by the Tribal Development Department, State of Maharashtra for the year 2024-25 by adopting the procedure of government rate contract be quashed and set aside.

c) By an appropriate writ, order or direction of this Hon'ble Court, the Respondent No. 4 be directed to procure or purchase required material i.e. School Uniform, P.T. Dress, Night Dress etc. to be supplied to the students of the Government Aashram Schools governed by the Tribal Development Department State of Maharashtra for the year 2024-25 by adopting procedure of publishing e-tender thereby inviting tenders of the prospective bidders in order to maintain fair competition.

d) By an appropriate writ, order, or direction of this Hon'ble Court the Respondent No. 4 be directed to take steps in accordance with law in pursuance Petitioners' Letter/Representation dated 14<sup>th</sup> June 2024 [Exh. 'P' hereto].

e) By an appropriate writ, order or direction of this Hon'ble Court, the Respondent No. 4 be directed to take steps in accordance with law in pursuance Petitioners' Letter/Representation/Reply dated 29<sup>th</sup> July 2024 [Exh. 'R' hereto].

f) By an appropriate writ, order and direction of this Hon'ble Court, Order dated 27<sup>th</sup> September 2023 passed by the Respondent No. 5 [Exh. 'G' hereto] declaring rates for procuring or purchasing the required material i.e. school uniform and other required items to be supplied to the students studying in the Government School which are mentioned in tabular form in Schedules A, B, C and D of the said order be quashed and set aside.

g) By an appropriate writ, order and direction of this Hon'ble Court, Letter dated 30<sup>th</sup> January 2024 issued by the Respondent No. 4 to the Respondent No. 3 [Exh. 'H' hereto] be quashed and set aside.

h) By an appropriate writ, order or direction of this Hon'ble Court, the Respondent No. 4 be restrained from releasing payment to the supplier in terms of the Work Order dated 15<sup>th</sup> March 2024 [Exh. 'L' hereto] issued for procuring the required material i.e. School Uniform, P.T. Dress, Night Dress, etc. to be supplied to the students of the Government Aashram Schools governed by the Tribal Development Department, State of Maharashtra for the year 2024-25.

i) Pending the hearing and final disposal of the above Writ Petition, effect and implementation of the Work Order dated 15<sup>th</sup> March 2024 [Exh. 'L' hereto] be stayed.

j) Pending the hearing and final disposal of present Writ Petition, further proceedings in terms of the Work Order dated 15<sup>th</sup> March 2024 of procuring or purchasing required material i.e. School Uniform, P.T. Dress, Night Dress etc. to be supplied to the students of the Government Aashram Schools governed by the Tribal Development Department, State of Maharashtra for the year 2024-25 by adopting the procedure of government rate contract be stayed.

k) Pending the hearing and final disposal of the above Writ Petition, the Respondent No.4 be directed to issue/ publish e-tender for procuring or purchasing required material i.e. School Uniform, P.T. Dress, Night Dress etc. to be supplied to the students of the Government Aashram Schools governed by the Tribal Development Department State of Maharashtra for the year 2025 thereby inviting tenders of the prospective bidders in order to maintain fair competition.

l) Pending the hearing and final disposal of the present Writ Petition, effect and implementation of Government Resolution dated 9 December 2022 issued by the Industries, Energy and Labour Department, State of Maharashtra be stayed.

m) Pending the hearing and final disposal of the above Writ Petition, the Respondent No. 4 be restrained from releasing payment to the supplier in terms of the Work Order dated 15<sup>th</sup> March 2024 issued for procuring the required material i.e. School Uniform, P.T. Dress, Night Dress etc. to be supplied to the students of the Government Aashram Schools governed by the Tribal Development Department, State of Maharashtra for the year 2024-25.

e) Ad-interim and interim relief in terms of prayer Clauses (i), (j), (k), (l) and (m) be granted.

f) Cost of this Petition.

g) For such further and other reliefs as this Hon'ble Court may deem fit and proper in the interest of justice.

2) We have heard the learned counsel for the parties at length. Admittedly, the work order was issued on 15 March 2024. The Petitioner filed a Writ Petition after a period of five months i.e. on 23 August 2024, which came up for hearing for the first time before the Division Bench on 16 October 2024. During pendency of the petition, Respondent No.6 has executed the work order and has supplied the uniform, night dress and

P.T. dress to Government Ashram Schools for the Academic Year 2024-25. In view of the aforesaid subsequent events which have taken place during the pendency of the petition, no effective relief can be granted to the Petitioner at this distant point of time. Accordingly, the petition is **dismissed**.

3) With dismissal of the petition, the interim Application does not survive. The same also stands disposed of.

[SANDEEP V. MARNE, J.]

[CHIEF JUSTICE]

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SHAILESH  
SAWANT

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SAWANT  
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