

Jvs.

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

WRIT PETITION NO. 5197 OF 2025

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Opal Construction } Petitioner
versus
The State of Maharashtra & Ors. } Respondents

Mr. A. A. Kumbhakoni, Senior Advocate with Mr. Tejas D. Deshmukh and Mr. Sagar Kursija i/b. Mr. Ronak Utagikar for petitioner.

Mr. O. A. Chandurkar, Additional Government Pleader with Ms. Vrishali Raje for respondent no. 1.

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

DATE: APRIL 29, 2025

P.C.:

- 1.** Heard on the question of admission.
- 2.** In this writ petition, the petitioner has assailed the validity of the tender clause insofar as it provides a requirement of Geo Tagging which is to be furnished within a period of five days.
- 3.** Learned senior counsel for the petitioner submits that subsequently, a corrigendum has been issued by the State Government on 14th June 2024 by which the requirement of Geo Tagging has been dispensed with, however, the aforesaid clarification has been made with prospective effect. It is also submitted that the Corporation has sought guidance of the State

Government for cancellation of the tender, however, the aforesaid communication made by the Corporation is pending before the State Government, on which no decision has been taken and after a period of one year, the technical bid has been opened.

4. Issue notice to the respondents, returnable after four weeks.

5. Mr. Chandurkar, learned Additional Government Pleader appears on behalf of respondent no. 1 and waives service of notice.

6. Needless to state that any action taken with respect to the subject matter of this writ petition shall be subject to outcome of the petition.

(M. S. KARNIK, J.)

(CHIEF JUSTICE)