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

WRIT PETITION NO. 5726 OF 2025

**Navi Mumbai Merchants
Chamber & Ors.**

.. Petitioners

Versus

State of Maharashtra & Anr.

.. Respondents

Mr. Nimay Dane and Mr. Mohit Advani a/w Vikram Trivedi, Sunil Tilokchandani and Dhriti Bhindora i/by Manilal Kher Ambalal & Co. for petitioners.

Mr. O. A. Chandurkar, Addl. Govt. Pleader with Mrs. G. R. Raghuwanshi, AGP for respondent no.1-State.

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

DATE: 29th APRIL, 2025

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P.C.:

1. The petitioner claims itself to be a Company registered under the Companies Act, 1956. The petitioner has filed this writ petition to quash and set aside the e-tender/e-auction dated 8th April, 2025 issued by the City and Industrial Development Corporation of Maharashtra Limited (CIDCO) for re-auction of the Plot Nos.1 and 5. The petitioner, in addition, seeks a direction to consider the representations dated 12th September, 2024 and 15th October, 2024 submitted by the petitioner in compliance of the direction contained in the order dated 4th September, 2019 passed in Writ Petition No. 5950 of 2014.

2. Learned counsel for the petitioner, at the out-set, submitted that after filing of the writ petition, by a corrigendum issued on 26th April, 2025, Plot Nos.1 and 5 have been taken out from the purview of the tender dated 8th April, 2025. In view of aforesaid submission, the challenge to the tender notice issued by the CIDCO, at the instance of the petitioner, does not survive for consideration.

3. It is pertinent to note that a Division Bench of this Court vide order dated 4th September, 2019 passed in Writ Petition No. 5950 of 2014 has already directed the CIDCO to consider the representation of the petitioner. Therefore, if the said direction, according to the petitioner, has not been complied with, it is not necessary for us to issue another direction. For yet another reason, direction cannot be issued as the petitioner has a efficacious remedy to enforce the compliance of the order dated 4th September, 2019 passed in Writ Petition No. 5950 of 2014 if the same has not already been complied with.

4. We, therefore, do not find any ground to entertain the writ petition. The same is accordingly disposed of with the aforesaid liberty.

(M. S. KARNIK, J.)

(CHIEF JUSTICE)