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

WRIT PETITION NO. 8497 OF 2025

Hinglaj Devi Mata Mandir Trust

... Petitioner

V/s.

The Zilla Parishad Nashik and Ors.

... Respondents

Mr. Shekhar Jagtap with Tanmay Tendulkar i/b. J. Shekhar and Co. for the
Petitioner

Ms. Neha Bhide, Govt. Pleader with Mr. Onkar Chandurkar, Addl.G.P with
Mr. S.P. Kamble, AGP for Respondent Nos. 3 and 4

**CORAM : ALOK ARADHE, CJ. AND
SANDEEP V. MARNE, J.**

DATE : 14 JULY 2025

Order (Per Chief Justice) :

1. Heard on the question of admission.
2. In this Writ Petition, the Petitioner which is a religious trust, has assailed the validity of the E-tender notice issued by the Zilla Panchayat, Nashik for construction of an auditorium as well as for laying a concrete road around the Hinglaj Devi Mata Mandir making underground sewage and installation of paver blocks around the temple.

3. Facts giving rise to filing of this Petition, briefly stated, are that Rural Development and Panchayat Raj Department, Government of Maharashtra, on 13 March 2024, passed a Resolution for according administrative approval for development of works to be done at rural pilgrimage sites at Hinglaj Devi Mata Mandir, Mauje Khede, Taluka Niphad, District Nashik. A sum of Rs.1.00 crore was sanctioned for the aforesaid contract. The Zilla Parishad, Nashik, on 4 September 2024, issued two tenders. The first tender was issued for construction of an auditorium whereas the second tender was issued for laying concrete around the temple premises making underground sewage and installation of paver blocks. The Petitioner submitted a representation on 17 December 2024 highlighting that the auditorium should be made with R.C.C. slabs and not with sheets of tin and further requested the Zilla Parishad to take appropriate steps to fix as many as paver blocks around the temple possible so that the space around the temple can be used for parking of the vehicles. Thereafter, on 23 January 2025, one Kiran Bhausahab Mhaisdhune (Respondent No.5) was declared as L1 bidder. Subsequently, it appears that he was black-listed in relation to another contract on 29 May 2025. The instant Writ Petition has been filed by the Petitioner on 17 April 2025 in which the Petitioner has sought quashment of tenders issued by the Zilla Parishad, Nashik and to direct the Respondent No.1 and to direct it to issue fresh tender.

4. The learned Counsel for the Petitioner submitted that the Petitioner's suggestions and inputs ought to have been considered while finalizing the tender. It is further submitted that Respondent No.5 is not a suitable person for grant of contract as he has been black-listed on 29 May 2025 in relation to another contract.

5. We have considered the submissions made by the learned Counsel for the Petitioner.

6. Admittedly, the State Government has sanctioned a sum of Rs.1.00 crore for carrying out the development work at the temple, the affairs of which are being managed by the Petitioner – Trust. The tender was issued on 4 September 2024 whereas the instant Writ Petition has been filed after a period of six months from the date of issue of tender that is on 17 April 2025. The Petitioner, in case, it was aggrieved by the terms and conditions of the tender, ought to have approached this Court at the earliest opportunity. However, the Petitioner waited for six months and allowed the process to be completed. The Writ Petition was filed after a period of three months after Respondent No.5 was declared as lowest bidder on 23 January 2025. The fact that in another contract, Respondent No.5 has been black-listed, has no impact on eligibility of Respondent No.5 to execute the present contract.

7. For the aforementioned reasons, we do not find any ground to quash the tenders issued by the Zilla Parishad which are being issued for improvement of the facilities at the temple run by the Petitioner. However, it is open for the Zilla Parishad, Nashik to consider the suggestions of the Petitioner with regard to execution of the work.

8. With the aforesaid observations, the Writ Petition is disposed of.

(SANDEEP V. MARNE, J.)

(CHIEF JUSTICE)