

Pdp

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

WRIT PETITION NO. 9141 OF 2025

M/s. Watergrace Products

.. Petitioner

Versus

Nashik Municipal Corporation & Ors.

.. Respondents

Mr. Aspi Chinoy, Senior Advocate with Mr. R. S. Kohli, Ms. Nikita K. Dharamshi, Ms. Sameeksha Yadav i/by C. K. Legal for petitioner.

Mr. Ashutosh Kumbhakoni, Senior Advocate i/by Ms. Chaitrali Deshmukh for respondent nos.1 to 3.

Mrs. Neha S. Bhide, Govt. Pleader with Mr. O. A. Chandurkar, Addl. Govt. Pleader and Mrs. N. M. Mehra, AGP for respondent nos. 4 and 5 – State.

Digitally signed
by PRAVIN
DASHARATH
PANDIT
Date:
2025.07.08
17:41:47
+0530

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

DATE: 8th JULY, 2025

P.C.:

1. In this writ petition, the petitioner, *inter alia*, has prayed for the following reliefs:-

"(a) That the present Writ Petition may kindly be allowed;

(b) That this Hon'ble Court after having ascertained the facts of the case in hand, be pleased to hold and declare that the impugned RFP/Tender Document bearing Notice No. 02/2025-26 dated 16.06.2025 issued by the Respondent Corporation being (Exhibit - 'B' in the

present Petition); more particularly the prequalification Conditions bearing:

- i. Condition No.3.2.2,*
- ii. Condition No.3.2.3,*
- iii. Condition No.3.2.5,*
- iv. Condition No.3.4.3,*
- v. Condition No.3.5,*
- vi. Condition No.2.2*

(c) That this Hon'ble Court be pleased to issue Writ of Certiorari or any other Writ and/or directions and/or Order of similar nature thereby quashing and setting aside the Impugned RFP/Tender Document bearing Notice No.02/2025-26 dated 16.06.2025 issued by the Respondent Corporation being (Exhibit - 'B' in the present Petition);

2. Learned senior counsel for the petitioner submits that despite an order dated 20th February, 2025 passed in Writ Petition No. 701 of 2025, the respondent – Nashik Municipal Corporation has issued a fresh tender containing similar conditions which were already quashed by this Court in previous tender. It is submitted that the action of the Nashik Municipal Corporation in issuing the impugned tender conditions is in breach of order dated 20th February, 2025 passed in Writ Petition No. 701 of 2025.

3. Issue notice to the respondents.

4. Ms. Chaitrali Deshmukh, learned counsel appears for respondent nos.1 to 3 and waives service of notice. Learned Government Pleader appears for respondent nos.4 and 5 and waives service of notice.

5. Needless to state that the petitioner, if so advised, will be at liberty to submit the bid.

6. Mr. Kumbhakoni, learned senior counsel appearing for Nashik Municipal Corporation submits that till the next date of hearing, tender in question shall not be finalized.

7. List on **17th July, 2025.**

(SANDEEP V. MARNE, J.)

(CHIEF JUSTICE)