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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO. 4032 OF 2024

Kalyan Toll Infrastructure Ltd.	... Petitioner
Versus	
Municipal Corporation Greater Mumbai	 Respondent

Dr. Abhinav Chandrachud a/w Ms.Disha Parekh, Ms.Neha Bhosale,
Ms.Madhura Shah i/b NDB Law, for the petitioner.
Mr. Akshay Shinde a/w Ms.Oorja Dhond i/b Ms.Komal R. Punjabi, for
the respondents no. 1 and 2-MCGM.

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

DATE : 17th MARCH, 2025

P.C. :

1. In this writ petition, the petitioner has assailed the action of Municipal Corporation of Greater Mumbai (MCGM) in forfeiture of 10% of the petitioner's earnest money deposit.

2. The petitioner had participated in a tender floated by MCGM to construct tenements. The bids submitted by the petitioner was not found to be responsive, inter alia, on the ground that the petitioner has failed to comply with the requirements contained in clause 1.1 and clause 1.1.1 of the bid document. Learned counsel for the

petitioner at the outset submitted that the grievance in the instant writ petition is only confined to the refund of 10% of the earnest money. It is further submitted that bids submitted by the petitioner had curative defects and it is pointed out that the petitioner had complied with the requirements contained in clause 1.1 and clause 1.1.1 of the bid document.

3. In view of the aforesaid submissions, learned counsel for the respondent prays for a short accommodation to enable him to seek instructions and apprise this Court as to the authority who would afford an opportunity of hearing to the petitioner with regard to his claim seeking refund of 10% of earnest money.

4. List on 24th March, 2025.

(M.S.KARNIK, J.)

(CHIEF JUSTICE)