

Basavraj

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

WRIT PETITION NO. 5202 OF 2024

Eskag Sanjeevani Pvt. Ltd.

.. Petitioner

Versus

State of Maharashtra & Ors.

.. Respondents

Mr. Maruti Mhavarkar for the petitioner

Mr.Amar Mishra, Additional Government Pleader for
respondent Nos.1 to 5 – State

**CORAM: ALOK ARADHE, CJ. &
BHARATI DANGRE, J.**

DATE: 23rd JANUARY, 2025

P.C.:

1. Heard on the question of admission.
2. In this petition, the petitioner, *inter alia*; seeks quashment of the impugned order dated 14th October 2024, by which the work order issued in favour of the petitioner who was appointed as a service provider for Hemodialysis in 50 centers, has been cancelled.
3. Learned Counsel for the petitioner submits that the authority has not performed the part of its obligation under tender condition inasmuch the space for establishing the project has not been provided to the petitioner as required under Clause 1.7 of Section - VI of the notice inviting tender. It has further been pointed out that in terms of Clause 4 of Section-VI, the contract awarded to the petitioner, has not been executed in its favour. Therefore, the action of the

respondents in cancelling the work order issued in favour of the petitioner, cannot be sustained in the eye of law.

4. In view of the aforesaid facts, issue notice to the respondents, returnable on **10th February 2025.**

5. Learned Government pleader appears for respondent Nos.1 to 5 – State and waives notice.

6. The learned Government Pleader shall seek instructions in the matter before the next date of listing.

(BHARATI DANGRE, J.)

(CHIEF JUSTICE)