



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO.3791 OF 2023

M/S PARTH ENGINEERS, NAGPUR THROUGH MANAGING PARTNER
PRASHANT S/O VITTHALRAO DANDEKAR

VS

UNION OF INDIA, THR. SENIOR DIVI. ENGINEER, SOUTH EASTERN CENTRAL
RAILWAYS, NAGPUR AND OTHERS

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders

Court's or Judge's orders

Mr. J.M. Gandhi, Advocate for the petitioner/s
Mr. N.S. Rao, AGP for the respondent/State

CORAM : ANIL S. KILOR AND RAJNISH R. VYAS, JJ.

DATE : 18.12.2025

1. Heard the learned counsel for the petitioner.
2. According to the learned counsel for the petitioner in the year 2024 his client has taken brief.
3. Surprisingly, in spite of lapse of more than one year, nothing has been brought on record to substantiate such stand.
4. The prayers in this petition are as follows:

"i. issue appropriate writ, order or direction, declaring that the conduct of the respondent Nos.3 to 9 throughout in conducting the subject tender work is illegal and unwarranted and all the actions and decisions taken by them are liable to be cancelled;

ii. issue the appropriate order directing the Competent Authority to hold due inquiry into the actions and conduct of respondent Nos. 3 to 9;

iii. issue direction to cancel the Contract of the respondent No.10 and fresh tender be floated for

appointment of a new Contractor for the project as per the norms of Ministry of Road Transport and Highway;

iv. during the pendency of this petition the respondent Nos.3 to 9 be restrained from anyway acting contrary to the settled norms provided by the Law and as per the settled public policy and the respondent Nos.3 to 10 may also kindly be restrained from anyway proceeding ahead with the said tender work or float any tender afresh for the same work and for Project Management Consultancy;

v. the respondents be ordered to pay appropriate compensation to the petitioner for their illegal, unauthorized and unwarranted attitude;

vi. cost of the petition be saddled upon the respondents;

vii. grant any other relief which this Hon'ble Court deems fit and proper in, in the interest of justice."

5. Perusal of the aforesaid prayers would clearly reveal that the petitioner has sought declaration that the conduct of the respondent Nos.3 to 9 throughout in conducting the tender work, is illegal.

6. We are of the considered view that such a declaration cannot be granted in the exercise of writ jurisdiction.

7. So far as the prayer regarding issuance of direction to the competent authority to hold due inquiry into the action and conduct of the respondent Nos.3 to 9 is concerned, the material on record is not enough to arrive at a conclusion that any illegality has been committed.

8. The prayer regarding cancellation of contract of the respondent No.10 and issuance of fresh tender is concerned, suffice it to say that the tender in question was issued in the year 2020.

9. This Court had earlier also dismissed the petition for non-removal of the office objection on 06.06.2021. On 07.07.2023 also none appeared for the petitioner. It seems that the petitioner has lost interest in the matter.

10. In that view of the matter, nothing survives in the present petition, accordingly, it is **dismissed**.

(RAJNISH R. VYAS, J.)

(ANIL S. KILOR, J.)