



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

WRIT PETITION NO.2425 OF 2025

Manoj s/o Narayanrao Pawade, Wani Tehsil, Yavatmal District

-VS-

State of Maharashtra, Ministry of Urban Development Dept. Mantralaya, Mumbai and ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and the Registrar's orders.

Court's or Judge's Orders.

Shri Dipesh Mehta, Advocate for petitioner.

Smt S. S. Jachak, Additional Government Pleader for respondent Nos.1 and 3.

Shri P. P. Deshmukh, Advocate for respondent No.2.

CORAM : NITIN W. SAMBRE AND MRS VRUSHALI V. JOSHI, JJ.

DATE : May 06, 2025

Civil Application No.1087/2025

1. The prayer for amendment is allowed. Amendment be carried out within a period of one week.
2. Civil Application is allowed and disposed of.

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3. Heard.
4. Amongst other contentions raised, one is that the petitioner is technically disqualified for failure to submit no-blacklisting affidavit. According to him the policy reflected in Clause-7(1) of the Government Resolution dated 17/09/2019 contemplates that in case of shortfall of the said document, the petitioner cannot be said to be not qualified technically and the time is required to be given for compliance of such shortfall which is not done by the respondents.
5. On the other hand, it is the case of the respondents that the said fact was displayed on the notice board and in the tender conditions it is specifically mentioned that no illegal communication or interaction will be carried out with the contractor. As such it is claimed that the Work Orders are already issued.

6. In this background, we deem it appropriate to cause notice to the respondents.
7. After the amendment is carried out, issue notice to the respondents, returnable on 11/06/2025 by which date the respondent No.2 shall file reply.
8. The learned Additional Government Pleader waives service of notice for respondent Nos.1 and 3.
9. Shri P. P. Deshmukh, learned counsel waives service of notice for respondent No.2.
10. We hereby clarify that further action shall be subject to outcome of the petition and if so desired, the petitioner can claim damages/compensation.
11. It is further claimed by the counsel for the petitioner that the respondents have *ante* dated the document as uploading of the same is subsequent to the date on which such document is executed.
12. We are of the view that such issue can be appreciated only after the respondents' reply is placed on record. We have already reserved the right of the petitioner of claiming damages/compensation and in such an eventuality, we refuse the prayer for grant of ad interim relief.

(Mrs Vrushali V. Joshi, J.)

(Nitin W. Sambre, J.)