



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

WRIT PETITION NO.5475 OF 2025

[Rukhmai Infrastructures Pvt. Ltd., through Authorized Signatory, Mumbai **Vs.** Maharashtra
 State Mining Corporation Limited, through Managing Director, Nagpur]

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

Court's or Judge's order

Shri Akshay A. Naik, Senior Advocate, assisted by Shri N.A. Nasre and Shri A.H. Daga,
 Counsel for Petitioner.

Shri M.G. Bhangde, Senior Advocate, assisted by Shri Ajit R. Jain and Shri Romin Jain,
 Counsel for Respondent.

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

DATE : 19th NOVEMBER, 2025.

1. In the present writ petition, the challenge is raised to the Condition No.4 on record page No.42 relating to the technical criteria in the tender process initiated by the respondents for Lifting, Beneficiation of RoM Coal Quantity of 3.00 MMTPA (2 to 2.5 Lakhs Tonnes Per Month) from SECL Command Area and Supply of Beneficiated Coal to Koradi TPS of MAHAGENCO. The Condition No.4 in respect of the technical criteria reads thus :

“4) All Bidders must have executed the work of lifting and beneficiation of minimum quantity of 0.75 Million Metric Tonnes per annum (0.75 MMTPA) of RoM coal in any one (1) Financial Year and Supply of beneficiated coal (Washed Coal) out of last three Financial Years reckoned from FYs 2022-23, 2023-24, and 2024-25) to any Govt. Power House/State Electricity Board or State/Central Government power Generation Corporations. Further the Bidder should have minimum free capacity of 2.5 MMTPA of washery from SECL command area as on the date of publication of NIT.”

2. It is the case of the petitioner-Company that it is having the experience of doing the work of MSMC, i.e. the Tendering Authority, however while asking for the experience, it is stated that the bidders require to submit the experience and performance certificates from the

Government Power House/State Electricity Board or the State/Central Government Power Generation Corporation.

3. In the reply dated 1st October, 2025 filed by the respondent-Corporation, in Para 26, the respondent-Corporation has made a categorical statement to the following effect :

“26. The respondent is the nodal agency appointed by MAHAGENCO and present tender is issued by MSMC on behalf of the MAHAGENCO (Pg.35) for lifting and supply of beneficiation coal to MAHAGENCO TPS and hence any experience certificate issued by respondent for lifting and beneficiation of coal is considered to be valid and hence it is incorrect to say that experience certificate issued by respondent shall not be considered.”

4. Shri Akshay Naik, learned Senior Advocate, for the petitioner-Company accordingly submits that since the respondent-Corporation is ready to consider its own certificate (of MSMC) the grievance of the petitioner-Company does not survive.

5. The petition is disposed of in the light of the statement made by the respondent-Corporation in Para 26 of its reply.

(RAJNISH R. VYAS, J.)

(ANIL S. KILOR, J.)