



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

WRIT PETITION NO.291/2025

(Berozgaranchi Kshitiz Nagrik Seva Sahakari Sanstha Maryadit, Amravati Vs. Akola Municipal Corporation, Akola and others)

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

Court's or Judge's orders

Mr. F.T. Mirza, Senior Advocate with Mr. Parvez Mirza, Advocate for the petitioner.
Dr. Ajan De, Advocate for respondent No.1.
Mr. S.K. Mishra, Senior Advocate with Mr. Rohan Chandurkar, Advocate for
respondent No.2.

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

DATED: 22.4.2025.

Heard.

2. The affidavit sworn by Dr. Sunil Laxmanrao Lahane, Municipal Commissioner, Akola Municipal Corporation, Akola, particularly, paragraph 12 reads thus:-

“12. It is submitted that the aforesaid circumstances was the reason behind the error said to have been committed by the Respondent No.1. It is submitted that if approved by the Hon’ble High Court the Respondent No.1 seeks to issue fresh tender for the work by cancelling the work order issued in favour of Respondent No.2. The consequential orders and the interim orders for carrying out the work during the interim period till the fresh tender process is completed will be as per the directions of this Hon’ble Court.”

3. It appears that respondent No.1 is trying to shift the burden on the Court thereby seeking permission to cancel the tender which was processed by the said respondent in a hasty manner and that too contrary to the instructions which are issued by the Central and State Government.

4. We are not commenting on merits as to whether the said respondent can cancel the tender as it is within its domain to take appropriate decision, however, we must clarify that this Court has not restricted respondent No.1 from taking any decision in the matter.

5. We are not at all convinced by the stand taken by the respondent No.1 as reflected in the affidavit thereby making vague statement that there is a failure on the part of the officials of Municipal Corporation to bring to the notice of the Commissioner or the Deputy Commissioner the orders of this Court, as the said submission is too vague to understand.

6. Learned Advocate appearing for the respondent No.1 Mr. Anjan De submits that an additional affidavit will be placed on record in any case by 28.4.2025.

7. Stand over to 29.4.2025 by way of last chance.

(MRS.VRUSHALI V.JOSHI, J.)

(NITIN W. SAMBRE, J.)