



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

WRIT PETITION NO.2982 NO. OF 2025

RAJENDRA SINGH KILEDAR CONSTRUCTIONS PVT. LTD.

VS.

THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND THREE OTHERS

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

Court's or Judge's order

Mr. Amol B. Patil, Advocate for the Petitioner
Mr. Suraj Hulke, AGP for the respondent Nos.1 to 3/State

CORAM : ANIL S. KILOR AND PRAVIN S. PATIL, JJ.

DATE : 12th June, 2025

1. This matter pertains to a tender of construction of various roads in Morshi city, District Amravati.

2. We have heard the learned counsel for the petitioner.

3. The learned counsel for the petitioner has drawn attention of this Court to the impugned order, rejecting a technical bid of the petitioner. The technical bid of the petitioner appears to have been rejected on two grounds; (i) paver executed quantity not provided; and (ii) misleading information is given.

4. It appears from the tender documents that the quantity certificate, which supposed to be enclosed along with the tender documents, shall satisfy the execution of work of paver blocks of a quantity of 13,700 sq. meters. It is pointed out that as far as this requirement is concerned,

two certificates satisfying the said conditions, were enclosed by the petitioner along with the tender documents, which show the total quantity more than 44,000 sq. meters.

5. More specifically, the first certificate, relating to construction of Government Excellence Higher Secondary School in Betul District, certifies that the petitioner has carried out the work of paver blocks of the quantify of 15,600 sq. meters. Whereas, the second certificate, relating to construction of Government Excellence Higher Secondary School at Amla, Distirct Betul, shows that the petitioner executed the work of paver blocks of 28,590 sq. meters.

6. Thus, *prima facie* we are of the opinion that the first objection i.e. paver executed quantity not provided, is contrary to the record and the documents submitted by the petitioner along with his tender documents.

7. As far as the second objection i.e. misleading information was given, is concerned, it appears to be vague. If there were any short fall in tender documents of the petitioner and which, according to the respondents, amounts to misleading, in that case the Government Resolution dated 17.09.2019 shows that if there is any short fall in technical bid, time of 8 to 15 days shall be given to the bidder for compliance, and only in case the

bidder fails to make compliances as pointed out, the technical bid may be rejected.

8. Thus, *prima facie* having found substance in the submission of the learned counsel for the petitioner that the technical bid was rejected on a fanciful grounds, issue notice to the respondents, returnable on **16.06.2025**.

9. The learned AGP waives service of notice for the respondent Nos.1 to 3/State.

10. The petitioner is permitted to serve the respondent No.4 by private mode of service, in addition to the regular mode of service and shall file an affidavit before the next date.

11. In the meantime, the respondents are permitted to continue the process of tender, but not to issue work order till next date.

(PRAVIN S. PATIL, J.)

(ANIL S. KILOR, J.)