



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

WRIT PETITION NO. 5475 of 2025

Rukhmai Infrastructure Pvt. Ltd. vs. Mah. State Mining Corporation Ltd.
With

WRIT PETITION NO. 5480 of 2025

Maha Mineral Mining and Beneficiation Pvt. Ltd. vs. Mah.State Mining Corpn. Ltd.
With

WRIT PETITION NO. 5473 of 2025

ACB (India) Ltd. vs. Maharashtra State Mining Corpn. Ltd.

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

Court's or Judge's Order

Mr. Akshay A. Naik, Senior Advocate a/b Mr. Alok Daga, Advocate for petitioner in WP Nos.5475 of 2025.
Mr. D. V. Chauhan, Senior Advocate a/b C.J.Dhore, Advocate for petitioner in W P No.5473 of 2025 a/b Mr. C.Dhruv, Advocate for petitioner in W.P.No.5480 of 2025.
Mr. M. G. Bhangde, Senior Advocate a/b Mr. R.Jain, Advocate for respondent in all writ petitions.

CORAM :- ANIL S. KILOR and RAJNISH R. VYAS, JJ.

DATE :- 17th OCTOBER, 2025

Heard learned counsel for the parties.

2. This Court on 19.09.2025 directed the respondent to allow the petitioners to submit their bids. It was further directed the respondent not to open the bids until further orders.

3. Today, Mr. Bhangde, learned Senior Counsel appearing for the respondent, has made a statement that as per the directions of this Court, the bids of the petitioners were accepted. He further requests for completing the tender process considering the urgency. He has pointed out that as per the revised coal stocking norms the stock for non-pithead (N2) to be maintained by the Power Plant is for the duration of 20-26 days; whereas, the present coal stock available at Koradi Power Plant is for 11 days. It is argued that if the tenders are not permitted to open and the work order is not issued, great difficulty may be faced.

4. On the other hand, Mr. Chauhan and Mr. Naik, learned Senior Counsel appearing for the petitioner in respective petitions, opposed the prayer for opening of the bids and issuance of work order on completion of tender process. It is submitted that whole tender process is arbitrary and therefore, this Court may not allow the respondent to open the bids.

5. Considering the submissions made by the respondent on affidavit as regards available stock of coal, we are of the opinion that if the respondent is permitted to open the bids and complete the tender process by issuing work order subject to the final outcome of these writ petitions and hear the petitions immediately after re-opening of the Court, no prejudice will be caused to the petitioners.

6. Accordingly we modify the order dated 19.09.2025 and permit the respondent to complete the tender process and also allow the respondent to issue work order, if the process is completed before the returnable date. However, the work order, if any, is issued, the same shall be subject to final outcome of these writ petitions.

7. It is further directed that if any work order is issued, the respondent shall mention the fact of pendency of the present writ petitions and further fact that the work order is issued subject to final outcome of these writ petition, in the work order.

8. Place these matter for final disposal on 06.11.2025 at 2.30 p.m.

(RAJNISH R. VYAS, J.)

(ANIL S. KILOR, J.)

Andurkar.