IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

108 WRIT PETITION NO.15406 OF 2025

Ma.Ganga Hamal Sahakari Sanstha Manegaon Through Dilip B Jaiswal
VERSUS
The District Collector, Parbhani And Others.
...
Advocate for Petitioners : Mr. S.N. Patne
AGP for Respondents : Mr. S.R. Wakle
Advocate for Respondent no.5: Ms. Pradnya Talekar i/b Talekar Associates
…

and

109 WRIT PETITION NO. 15424 OF 2025

Balaji Hamal Sahakari Sanstha Manegaon Through It's President Sagar D. Jaiswal
VERSUS
The District Collector, Parbhani And Others
...
Advocate for Petitioner : Mr. S.N. Patne
AGP for Respondents : Mr. B.B. Bhise
Advocate for Respondent no.5:Ms.Pradnya Talekar i/b Talekar Associates.
…

CORAM : NITIN B. SURYAWANSHI &
ABASAHEB D. SHINDE, JJ.

Dated : October 29, 2026

…

PER COURT :-

1. The Petitioners are registered Co-operative Labour Societies, which are engaged in the supply of Labours. The petitioners have been executing the work of handling food grains at Government Godowns after being successful in the

tender process since 2019 and continue to do so till date. At present, the petitioners are carrying out the work of handling food grains at the Government Warehouses situated at Sonpeth, Pathri and Palam Tahsils, within Parbhani District.

2. Respondent no.5 is also Co-operative Labour Society, similarly situated and engaged in the business of supplying labour for handling and transportation of food gains at Government Warehouses. However, according to the petitioner, respondent no.5 is allowed to execute the said works at the rates substantially higher than the rates offered by the petitioner, thereby causing financial burden on the public exchequer and resulting in hostile discrimination against the petitioners. Though, petitioners are willing and eligible to perform the same work allotted to respondent no.5 at lower rates, by showing undue favour to respondent no.5, the respondents have allotted said work to respondent no.5 without issuing the tender, which according to the petitioners, is arbitrary, unjustified and contrary to the principles governing fair allotment of public works.

3. According to the petitioners respondent nos.1 to 4 have acted in arbitrary, unreasonable and have colorably exercised

their powers in awarding the work of handling food grains at Government Warehouses in Parbhani District in favour of respondent no.5. It has caused grave prejudice to the petitioner. Said action of the respondents is in violation of settled principles of fairness and transparency in public procurement.

4. The State has filed affidavit-in-reply and has opposed the writ petitions.

5. The Respondent no.5 has also opposed the petition by filing affidavit-in-reply.

6. Heard learned advocate for the petitioners, learned AGP for the Respondent-State and learned advocate for Respondent no.5.

7. It is brought to our notice that clause no.3 of Government Resolution dated 6.3.2023 provides that the Hamal Sanstha, which is registered in the same District, would be eligible to continue the work, if it fulfills the conditions set out in clause no.3. Admittedly, the petitioners Sanstha's are from Bhandara District and, therefore, the petitioners are not eligible and entitle to continue the work. When the petitioners

are not eligible and entitled to continue the contract, we find no merit in the challenge raised in the present writ petitions. No case is made out by the petitioners to exercise our extra ordinary jurisdiction. Writ Petitions are therefore **dismissed.**

8. Needless to state that, ad-interim relief granted to the petitioner/s in these writ petitions vide order dated 19.01.2026 and 22.01.2026 stands **vacated.**

(ABASAHEB D. SHINDE, J.) **(NITIN B. SURYAWANSHI, J.)**

...

aaa/-f