2026:BHC-AUG:59-DB

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

40 WRIT PETITION NO. 29 OF 2026

M/s Swastik Offset Printers Through Proprietor
VERSUS
The State Of Maharashtra Through Its Secretary And Others

......
Mr. Mahesh V. Ghatge, Advocate for Petitioner
Mr. S.B. Narwade, AGP for Respondents-State
......

CORAM : SMT. VIBHA KANKANWADI AND HITEN S. VENEGAVKAR, JJ.

DATE : 05 JANUARY, 2026

PER COURT :-

1. The present petition has been filed challenging the communication dated 18.12.2025 issued by the Tender Inviting Authority, thereby rejecting the bid of the petitioner.

2. The petitioner is a sole proprietor duly registered under the Goods and Services Tax (2017) Act, and also registered under MSME with Ministry of Micro, Small and Medium Enterprises. The respondent-Collector has invited e-tender for supply of writing material and other stationery for the year 2024-2025 through Government E-procurement portal. The petitioner has submitted his bid online within the prescribed time and all the necessary documents. However, his technical bid came to be rejected on the ground that certificate of the Auditor for the last three years was not uploaded along with bid as reflected in the

technical evaluation sheet communicated subsequently by e-mail. The petitioner had pointed out that the certificate is uploaded and informed that his turnover is not 60%. He tired to explain that it is 59.96%. The learned advocate for the petitioner submits that the said bid ought to have been considered by rounding it off, and that respondent No. 2-Collector ought not to have rejected the same by adopting a rigid approach.

3. Learned AGP waives service of notice for the respondents and submits that the petitioner was having knowledge of each and every term and since he is not fulfilling the said criteria, his bid has been rightly rejected.

4. The first and foremost fact i.e. required to be mentioned her that this Court has limited scope to consider the matter wherein the tenders are evaluated. When the tender document was floated, there was a specific condition at Sr. No.17 stating that last three years average financial transactions or turnover should be minimum 60% of the proposed tender amount and it should e certified by Chartered Accountant with UDIN number. Now, taking into consideration the evaluation sheet of the Committee who evaluated the tender documents of all the bidders, it appears that two bidders have been declared ineligible.

5. As regards the present petitioner is concerned, the aforesaid is the fact, and according to the petitioner itself, the said percentage comes to 59.96. If the petitioner does not fulfill the said criteria, the rejection is appropriate. It cannot be said to be a rigid approach of the Collector to reject the same. We do not find any merit in the present petition. Hence, the writ petition stands rejected.

[HITEN S. VENEGAVKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

S P Rane