

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 3430 OF 2026

Va Tech Wabag Limited ... Petitioner
versus
Bharat Petroleum Corporation Limited & Ors. ... Respondents

...
Mr.Neeraj Kumar with Ms.Mrunalini Vijay Panchal for the Petitioner.

Dr.Birendra Saraf, Senior Advocate with Dr.Abhinav Chandrachud,
Mr.Janay Jain, Mr.Vinayak Chitale and Ms.Srishti Magdum i/b. Parinam
Law Associates for Respondent No.1- BPCL .

...

**CORAM : RAVINDRA V. GHUGE &
ABHAY MANTRI, JJ.**

DATE : MARCH 13, 2026

P.C:

1. We have heard Mr.Neeraj Kumar, the learned Advocate for the
Petitioner and Dr.Saraf, the learned Senior Advocate, along with Dr.
Chandrachud, the learned Advocate, on behalf of the Respondent
Company.

2. We have perused the Circular No. 4/3/07 dated 03.03.2007
tendered to the Court, which is marked as '**X-1**' for identification. We have
then perused the Office Memorandum dated 21.04.2022, which is taken on
record and marked as '**X-2**' for identification.

3. It is clear that after the tender is allocated to the lowest bidder (L-1) and, for some reason, the lowest bidder backs out or the allotment has to be cancelled, a re-tendering process has to be adopted.

4. The learned Advocate for the Petitioner submits that the Petitioner was circumspect as to whether this was likely to happen or not. Now that he has perused X-1 and X-2, he submits that the Petitioner, after a fresh tender is floated, would enter it's bid.

5. Dr. Saraf tells us that the fresh tender has already been floated and the Petitioner can participate in the bidding.

6. In view of the above, with the consent of the Petitioner, **this Writ Petition is disposed off.**

(ABHAY MANTRI, J.)

(RAVINDRA V. GHUGE, J.)