



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

WRIT PETITION NO. 3870 of 2025

Narendra Sheshrao Pawade

.. Petitioner

Versus

State of Maharashtra through its
Secretary, Department of Revenue and Forest,
Mantralaya, Mumbai and 5 others.

.. Respondents.

Mr. C. R. Sharma, Advocate for petitioner.
Mr. J. Y. Ghurde, A.G.P for respondent nos. 1 to 3.
Mr. J. B. Kasat, Advocate for respondent nos. 4 and 5.
Mr. S. D. Chopde, Advocate for respondent no.6.

CORAM :- ANIL S. KILOR and RAJ D. WAKODE, JJ.

DATE :- 23rd APRIL, 2026.

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Heard the learned counsel appearing for the parties.

2. In the present writ petition a challenge is raised to the clubbing of various works of construction of roads, while executing such works by the Zilla Parishad, on the ground that there is a prohibition of clubbing of such works. For this purpose, a reliance is placed on the Government Circular dated 19.09.2017 issued by the Public Works Department. Clause 3.4 of the said Government Resolution is relevant, which reads as under:

‘3.4 The work shall be clubbed together if they are in one continuous length of the road. However, no clubbing shall be resorted to if the works are distinctly apart from each other and are not on the same road. For achieving good quality in execution, the minimum road length shall be 10 km and in case of building maintenance single estimate shall be prepared for one entire building.’

The petitioner further relies upon the Circular dated 21.01.2018 again issued by the Public Works Department for the same purpose.

3. The respondent-Zilla Parishad, in its reply categorically stated that neither the Government Circular dated 19.09.2017 nor Circular dated 21.01.2018 issued by the Public Works Department is applicable to the Zilla Parishad.

4. Thereupon, the petitioner applied under the Right to Information Act and sought information about the policy which the Zilla Parishad follows while executing such works.

5. In reply under the Right to Information Act, dated 10.04.2026, the Zilla Parishad, Wardha supplied the Government Resolutions applicable for implementation and execution of such works. Though the work involved in the present petition is of Zilla Parishad, Amravati, still we perused the information provided by Zilla Parishad, Wardha and Government Resolutions dated 12.04.2017 and 27.01.2018.

6. Interestingly, none of these Government Resolutions prohibit such clubbing or allowing such clubbing of works. Thus, even if the said Government Resolutions are taken as a policy adopted even by the Zilla Parishad, there is nothing to point out that there is any prohibition.

7. Moreover this issue is no more *res integra* as the Principal Seat of this Court has considered the scope of the same Government Resolution dated 19.09.2017 in the case of ***Maharashtra State Contractor's Association vs. The State of Maharashtra and others*** in Writ Petition (Stamp) No. 19775 of 2025. The Principal Seat vide judgment dated 26.06.2025 has held thus :

“9. Reliance by Petitioner on GR dated 9 September 201 is also baseless. The relevant part of the GR reads thus:

3.4 Clubbing of works The work shall be clubbed together if they are in one continuous length-of the road. However, no clubbing shall be resorted to if the works-are distinctly apart from each other and not on the same road. For achieving good quality in execution, minimum road length shall be 10 Km and in case of building maintenance single estimate shall be prepared for one entire building.

The GR dated 9 September 2017 has no application to impugned tender notices, which are issued for execution of works in the schools and not for execution of road work. The restriction on preparation of single estimate for entire building is also inapplicable in the present case.

10. We therefore do not find any valid reason to in the impugned tender process initiated by Respondent Nos.5 and 6.

11. The matter would have ended here, and we could have simply dismissed the present Petition after not finding any merit in the Petition. However, we have noticed a disturbing trend on the part of the Petitioner- Association in suppressing vital information from this Court. It appears that Petitioner-Association has been raising same issue of impermissibility of clubbing of multiple works into singular tender by filing several Petitions before this Court. It appears that the Petitioner-Association, through its President-Suresh Haribhau Kadu, had filed Writ Petition No. 11724 of 2024 challenging several Tender Notices for the year 2024-25 seeking issuance of direction for floating of individual tender in respect of each work. This Court dismissed Writ Petition No.11724 of 2024 holding as under:

7. The tender notices in question, i.e., No.4/2024, 16/2024, and 14/2024/2025, invite bids for new connectivity/upgradation of roads in the Pune district under the Mukhyamantri Gram Sadak Yojana (MGSY). Upon perusal of the description of the work, it is apparent that the work involves roads of short lengths, less than 5 to 6 kilometers. It is therefore evident that respondent No.3 has undertaken integrated road development under MGSY rather than fragmented development. The policy of integrated road development, being a fundamental infrastructural policy, cannot, by any stretch of the imagination, be deemed arbitrary discriminatory, or unreasonable. Clubbing, in the present case, is for the purpose of implementing MGSY as a single package, wherein various road segments in the area are grouped together for development or repairs as a unified package.”

8. In view of the above referred observations of this Court, we are of the opinion that the petition lacks merits and it is dismissed accordingly. No order as to costs.

(RAJ D. WAKODE, J.)

(ANIL S. KILOR, J.)

Andurkar.