

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4590 OF 2025

Barkat Constructors

... Petitioner

Vs.

Bhiwandi Nizampur

City Municipal Corporation and ors.

... Respondents

....

Ms. Shilpi Jain with Ms. Jaya Bagve, Advocates for the Petitioner.

Mr. Yogesh Thorat i/by Mr. Dilip Bodake, Advocates for the Respondent
Nos.1 to 4.

....

CORAM : SHREE CHANDRASHEKHAR, CJ &
SUMAN SHYAM, J.

DATE : 23rd MARCH 2026

PC:-

Way back on 7th April 2025, the following order was passed by
this Court :-

“1. In this writ petition, the petitioner has assailed the validity of clauses contained in e-tender dated 13th March, 2025 issued by the Bhiwandi Municipal Corporation. The petitioner has called in question the following clauses in the tender notice: -

(i) Joint venture is not allowed to participate in the tender process.

(ii) Clause 6.4 which prescribes average Turnover should be of 20 cr. in the last 3 years.

(iii) Clauses 6.5, 6.7 & 6.8 prescribe that bidder should have license with minimum 200 manpower and registration should be at-least one year old.

(iv) Clause 6.9 which provide that bidder should have supplied manpower in

Government, semi Government with 200 manpower and more, document to be produced.

2. Learned counsel for the petitioner submitted that the aforesaid tender clauses are in violation of the guidelines issued by Central Vigilance Commission (CVC).

3. Issue notice to the respondents.

4. Mr. Bodake, learned counsel, appears on behalf of the respondent nos.1 to 4 and waives service of notice. He prays for and is granted two weeks' time to enable him to file affidavit-in-reply.

5. It is provided that any action taken in respect of the tender in question shall be subject to final outcome of the writ petition.

6. List on 25th April, 2025."

2. The subject contract is for a period of 18 months.

3. In the last one year a reply has yet not been filed by the respondents.

4. Permission is granted to file reply affidavit subject to payment of cost of Rs. 2,00,000/- to be deposited within one week in the Registry of this Court.

5. Post this matter on 15th April 2026.

(SUMAN SHYAM, J.)

(CHIEF JUSTICE)