

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

1014 PUBLIC INTEREST LITIGATION NO. 43 OF 2024

WITH

CIVIL APPLICATION NO. 10688 OF 2024

IN PIL/43/2024

RAHUL R RAGHUWANSHI

VERSUS

CHIEF EXECUTIVE OFFICER ZILLA PARISHAD NANDURBAR AND OTHERS

...

Mr. Abhay Khandeparkar, Senior Advocate a/w Mr. Sujay Gawande and Ms. Apoorva Khandeparkar, Advocates i/b Shree and Company for petitioner.
Mr. P.S. Patil, a/w Mr. Shreyas S. Deshpande, Advocate for respondent nos. 1 and 7.

Mr. Sanket Kulkarni, Advocate for Respondent no. 5.
Mr. M.K. Goyanka, A.G.P for respondent nos. 4 and 6.

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CORAM : MANGESH S. PATIL &
PRAFULLA S. KHUBALKAR , JJ.

DATE : 09.01.2025

PER COURT :

The learned advocate for respondent no. 5 tenders across the bar a scanned copy of the affidavit in reply, on the ground that he could not receive the originals and would file those as and when those are received. He also makes a statement that copies have been given to the other side. Scanned reply is taken on record.

2. The learned advocate Mr. Patil for respondent nos. 1 and 7 submits that Mr. Shreyas Deshpande, learned advocate would be arguing the matter on their behalf and seeks adjournment for filing affidavit in reply of respondent no. 7.

3. Considering the stand being taken by respondent nos. 4 and 5, the State and the Central Licensing Agencies, respondent no. 7 in his affidavit

shall also address, being the incumbent Chief Executive Officer of respondent no. 1 Zilla Parishad, as to the steps he now intends to take in light of the fact that when the successful bidder M/s. Narmada Enterprises had, along with tender documents, informed that it would be procuring the supplements from M/s Nutra Healthcare Private Limited, but now respondent no. 4, after investigation, has revealed that M/s. Narmada Enterprises has been procuring it from some other agency namely M/s. Alka Surgical, Surat.

4. Independently, he shall also state as to how, when M/s. Nutra Healthcare Private Ltd., which was supposed to be the manufacturer and from whom M/s. Narmada Enterprises was to procure the food supplements, *prima facie* was not authorized by a licence, as per the tender document and the food safety regulations, M/s. Narmada Enterprises was allowed to participate in the tender process.

5. So far as the stand being taken by respondent nos. 4 and 5, they shall keep us informed about the further actions they would be taking in light of their stand, by way of affidavits.

6. All the affidavits to be filed, as mentioned herein above, shall be served to all other parties at least a week before the next date.

7. S.O. to 27.02.2025.

(PRAFULLA S. KHUBALKAR J.)

(MANGESH S. PATIL, J.)

mkd/-