



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.1133 OF 2024

Intuitive Surgical India Pvt. Ltd. Vs. Government Medical College and
Hospital, Nagpur and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. M.G.Bhangde, Senior Advocate along with Advocates Ritesh Badhe & Zoeb
Cutlerywala assisted by Advocate Shrushti Shahakar for petitioner.
Mr. D.P.Thakare, Addl. GP for respondent no.1.

CORAM : NITIN W. SAMBRE AND ABHAY J. MANTRI, JJ.
DATED : FEBRUARY 16, 2024.

1. We have heard Mr. Bhangde, learned Senior Advocate appearing for the petitioner, who is one of the participants in the tender process for procurement of robotic surgery system with all accessories in the respondent - Government Medical College and Hospital.
2. The contention of Mr. Bhangde, learned Senior Counsel is that the respondent No.1 - Dean, Government Medical College and Hospital, Nagpur without any authority has relaxed the tender conditions so as to suite the private respondents to qualify in the tender process and has awarded the impugned order.
3. Amongst others, the points which are canvassed are: (a) the instrument offered by the respondent - successful bidder is of Class-B; whereas the tender document provides for said to be of Class-C category. In addition, his contentions are that though it is mandatory to have instruments and accessories to be supplied along with the robotic instrument said condition is relaxed without there being any authority to the respondent-Dean.

4. Issue notice to the respondents returnable on 28th February, 2024.
5. Mr. D.P. Thakare, learned Additional Government Pleader waives service of notice for the respondent no.1.

(ABHAY J. MANTRI, J.)

(NITIN W. SAMBRE, J.)

Ambulkar