

ITEM NO.31

COURT NO.9

SECTION IX

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).5900/2004

(From the judgement and order dated 20/01/2004 in WP No. 2942/2003 of The
HIGH COURT OF JUDICATURE AT BOMBAY)

RAMCHANDRA MURARILAL BHATTAD & ORS.

Petitioner(s)

VERSUS

STATE OF MAHARASHTRA & ORS.

Respondent(s)

(With prayer for interim relief and office report)

WITH

SLP(C) NO. 23665 of 2004

(With prayer for interim relief)

Date: 24/04/2006 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. SRIKRISHNA

HON'BLE MR. JUSTICE TARUN CHATTERJEE

For Petitioner(s)

SLP(C)No.5900/2004 Mr. R.F. Nariman, Sr. Adv.

Mr. P.N. Gupta, Adv.

MR. H. Devarajan, Adv.

Mr. N.V. Vimadalal, Adv.

SLP(C)NO.23665/2004 Dr. A.M. Singhvi, Sr. Adv.

Mr. P.N. Gupta, Adv.

MR. H. Devarajan, Adv.

Mr. N.V. Vimadalal, Adv.

For Respondent(s) Mr. T.R. Andhyarujina, Sr. Adv.

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Mr. A.S. Bhasme, Adv.

Mr. Ravindra Keshavrao Adsure, Adv.

UPON hearing counsel the Court made the following

O R D E R

These matters pertain to the construction of a Convention-cum-Exhibition Centre and

commercial complex at Bandra Kurla, Mumbai. The petitioner before us is the unsuccessful

bidder who has challenged the action of the Mumbai Metropolitan Region Development

Authority (MMRDA) cancelling all the bids at an earlier stage. Despite the application made by

the petitioner, we declined to grant injunction in the matter. As a result, MMRDA re-tendered

and we are informed that the highest bid was by Reliance Industries Limited, which is said to

have been granted the contract and paid a sum Rs. 552 crores.

The petitioner desires to demonstrate to this Court (a) that the bid was cancelled

ed by the

MMRDA, which had no jurisdiction to do so under the Act; and (b) that there was mala fides in

cancelling all the bids as it was intended to engineer the re-tendering process to favour the party

who has now succeeded. To demonstrate his bona fides, the petitioner's counsel states that the

petitioner would not only match the bid of the presently successful party only for the Convention

Centre, but that he would also pay the amount at one go instead of paying it over a period of time.

We are informed that there is another party who is involved. Mr. R.F. Nariman, the

learned senior counsel, states that the petitioner would move an application to implead that other

party (Reliance Industries Limited).

Counter affidavit be filed by 10rd July, 2006 and rejoinder, if any, by 17th July, 2006.

List these matters on 25th July, 2006.

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(Rajesh Dham)

(Radha R. Bhatia)

Court Master

Court Master