xITEM NO.3 COURT NO.2 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).14871/2010

(From the judgement and order dated 05/05/2010 in WP No. 912/2010 of The HIGH COURT OF BOMBAY)

M/S M.E.INFRA-PROJECTS(P) LTD.& ANR. Petitioner(s)

VERSUS

MUMBAIR MUN.CORP.& ORS. Respondent(s)

(With appln(s) for permission to place addl. Documents on record and prayer for interim relief )

Date: 01/06/2010 This Petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE G.S. SINGHVI
HON'BLE MR. JUSTICE C.K. PRASAD
(VACATION BENCH)

For Petitioner(s) Mr. Neeraj Kishan Kaul, Sr. Adv.
Mr. Vikas Mehta,Adv.
Mr. Rohit Bhat, Adv.
Ms. Durga, Adv.
Ms. Supriya, Adv.

For Respondent(s) Mr. Atul Chitale, Sr. Adv.
Mrs. Suchitra Atul Chitale, Adv.
Ms. Sunaina Dutta, Adv.

UPON hearing counsel the Court made the following
O R D E R

This petition is directed against order dated 5.5.2010 passed by the Division Bench of Bombay High Court whereby it refused to entertain the petitioners' prayer for issue of mandamus to the respondents to entertain their tender for execution of the works specified in Annexure P-1.

We have heard learned counsel for the parties at length and perused the record. In our view, the reasons assigned by the Division Bench of the High Court for declining to entertain the petitioners' prayer for quashing clause 3.2.3 (vi) of the terms and conditions of tender issued by the respondents inviting bids for 'AC-77 Civil Works Contract (C.W.C.) for reinstatement of trenches taken by various utilities, repair to potholes and spot repairs for the period upto 31st March, 2012 in the city of Mumbai do not suffer from any legal infirmity because the petitioners failed to convince the High Court that it fulfilled the conditions of eligibility for being included in the list of successful bidders.

The special leave petition is accordingly dismissed.

(A.D. Sharma)
Court Master

(Phoolan Wati Arora)
Court Master