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IN THE HIGH COURT OF BOMBAY AT GOA

**CONTEMPT PETITION NO.15 OF 2024
IN
WRIT PETITION NO.902 OF 2023**

**MAHALSA SERVICES
THROUGH ITS PROPRIETOR
PRADEEP P. SHET ... PETITIONER**

Versus

GEETA KACODKAR,
DIRECTOR OF HEALTH
SERVICES AND ANR. ... RESPONDENTS

Mr Parikshit Sawant, Advocate for the Petitioner.

Mr M. Salkar, Government Advocate for the Respondents.

CORAM: M. S. KARNIK &
BHARAT P. DESHPANDE, JJ.

DATE: 28th JUNE 2024

P.C.:

1. Heard learned Counsel for the petitioner.
 2. The petitioner alleges breach of the order dated 22.01.2024 passed by this Court at paras 42 and 43 of the order read thus:

“42. Considering the above submissions and also because we are satisfied that the tender evaluating committee must have the opportunity to evaluate the Petitioner’s tender

bid and determine whether the Petitioner is fulfilling the qualifying criteria or not by advertizing to all relevant material on record, we propose to direct the technical evaluation committee to reconsider the issue of Petitioner's eligibility by advertizing to all the material on record and the legal position. For this, we have to quash the impugned decision rejecting the Petitioner's technical bid without application of mind to several relevant factors discussed above. This exercise must be concluded expeditiously.

43. The rule is accordingly made partly absolute. The impugned decision rejecting the Petitioner's bid is set aside. Still, the matter is remanded to Respondent Nos. 1 and 2 so that their technical evaluation committee (by whatever name called) can reexamine whether the Petitioner fulfills the qualifying criteria by considering all the relevant material on record and the legal position. If the Petitioner is ultimately adjudged as fulfilling qualifying criteria, then his financial bid must be considered along with the financial bids submitted by the third and fourth Respondents. This exercise must be completed expeditiously."

3. Learned Government Advocate submits that pursuant to the passing of this order, the order has been duly complied with. The ~~as well as financial bid~~ petitioner's technical bid has been considered. Learned Government

Advocate submits that even the financial bid submitted by the other parties has been considered.

4. In this view of the matter, nothing survives for consideration in the Contempt Petition. If the petitioner has grievance regarding the process followed, it is always open for him to seek remedies in accordance with law.

5. The petition stands disposed of. No costs.

BHARAT P. DESHPANDE, J.

M. S. KARNIK, J.