

S/L 6
23.07.2026
Court. No. 25
Sourav

WPA 17763 of 2026

Shiba Prosad Banerjee
Vs.
The State of West Bengal & Ors.

Mr. Saptansu Basu, Sr. Adv.
Mr. Swarup Paul
Mr. Surya Maity
Mr. Guru Saday Dutta

...for the petitioner.

Mr. Srijib Chakraborty
Mr. Arghya Chatterjee

...for the State.

1. The petitioner has filed the present writ application praying for a direction upon the respondent authorities to consider the case of the petitioner in terms of the order passed by this Court dated June 13, 2025 in WPA 2699 of 2024 (CAN 1 of 2024) wherein this Court has passed the following order:

“5. The Court is not inclined to enter into the merit of the case of the petitioner at such a belated stage. In the event the authority intends for an extension of the term of the present bidder, then the case of the petitioner may be considered along with the subsisting bidder provided the petitioner possesses the requisite eligibility criteria.”

2. Learned counsel for the petitioner submits that the contract expired on May 28, 2026 and the petitioner came to know that the authorities are going to extend the contract without calling for a fresh tender and in terms of the order dated June 13, 2025, the petitioner is also entitled to be considered for extension of the contract, if any, made by the respondent authorities instead of calling for a fresh tender.

3. Learned counsel for the respondent authorities has handed over the instruction dated July 22, 2026 wherein it is mentioned that in the earlier tender of 2023, the petitioner was disqualified. Now the existing tender is also expired on May 28, 2026. The administration has started procedures for calling a fresh tender through the GEM.
4. It is the specific case of the respondent authorities that the respondent authorities are going for a fresh tender and for the time being they will allow the present contractors to continue with the said contract and the authorities will complete the tender process as early as possible.
5. Considering the above, this Court finds that it is the specific case of the respondents that the respondents are going to issue the fresh tender notice for participating of the competitive bidders to participate in which the petitioner is also be entitled to participate if he is otherwise qualified.
6. Considering the above, this Court does not find any reason to pass any further order in the present writ application. The respondent authorities are directed to complete the new tender process as early as possible.
7. Accordingly, **WPA 17763 of 2026** is disposed of.
8. The written instruction dated July 22, 2026 is taken on record.
9. Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance with all the necessary formalities.

(Krishna Rao, J.)