

Court No. 13

WPA 7137 of 2020

CAN 1 of 2020

15.10.2020

Shri Ganga Chowdhury

(Sl. 17)

Vs.

(sp)

State of West Bengal & Ors.

(Via Video Conference)

Mr. Probal Mukherjee, Sr. Adv.

Mr. Koustav Bagchi

... for the petitioner

The petitioner was the successful tenderor for collecting toll for the ferry operations across the river at Ranaghat. The petitioner had a lease for such toll collection for a period of two years, which expired on September 9, 2020.

The petitioner made representations to the authorities dated 01.06.2020, 22.06.2020, 31.07.2020, 06.08.2020 and 19.08.2020 asking them for a rebate in the total amount payable under the lease, since ferry operations were not only suspended but also reduced in view of the prevailing pandemic since March 2020.

Such representations were not replied to or considered and a fresh NIT has been published for such lease operations. The petitioner participated in the new tendering process and the process has been completed. The award of tender has not been made.

Mr. Probal Mukherjee, learned Senior Counsel for the petitioner submits that he only wants the

authorities to consider his representation as indicated herein above.

This Court is of the view that by issuance of fresh NIT, there is deemed rejection of the petitioner's representations as aforesaid. The petitioner's remedies in law, if any, would therefore be in the form of a civil suit and/or other proceedings as may be stipulated in the lease executed by him.

For the reasons stated above, WPA 7137 of 2020 is disposed of, without any order.

Accordingly, the connected application being CAN 1 of 2020 is also disposed of.

All the parties are to act on a server copy of this order on the usual undertaking.

(Rajasekhar Mantha, J.)