

18.11.2020
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**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI**

**WPA 7145 of 2020
With
CAN 01 of 2020**

**Mithu Sharma
Vs.
The State of West Bengal & Ors.**

Mr. Srijit Chakraborty
...for the petitioner

Mr. Debabrata Dhar. AGP
...for respondent Nos. 2 to 4

The petitioner was engaged as a contractor for handling transportation, preservation and quality control management of food grains at Bagrakote GFD Godown under the management of W.B.S.W.C. against Tender No.C(IV)-309/RIDF/SWC/1723 dated 08.09.2017. The said work order was issued on 21st December, 2017 for a period of two years. Subsequently, the term of petitioner's job was extended time to time thrice till 31st December, 2020.

It is the grievance of the petitioner that she came to know that the respondents are trying to engage another person without following regular

tender process for the aforesaid job for the work to be commenced from 2021. The petitioner made representation to the authority but received no reply. So, is the instant writ petition.

I have heard Mr. Chakraborty, learned advocate for the petitioner and Mr. Dhar, learned advocate, A.G.P. on behalf of the respondents. It is made clear that as per Rule 177(C) of the Financial Rules published by the Government of West Bengal, any work valued more than Rs.1,00,000/- is to be allotted through e-tender process and not be personal choice of the respondent authority.

Taking into account the aforesaid rule the instant writ petition is disposed of directing the respondents to consider the representations submitted by the petitioner in accordance with law within one month from the date of this order. It is further directed that if the tender amount is valued more than Rs.1,00,000/-, the respondent authority shall take appropriate action following the provision of Rule 177(C) of the Financial Rules published by the Government of West Bengal.

With the above order the instant writ petition is disposed of along with CAN 01 of 2020 on contest, however, without cost.

The respondents have not filed any affidavit-in-opposition but learned A.G.P. submits on merits of the case of the petitioner.

(Bibek Chaudhuri, J.)