

13th January,
2021.
(as)
24

W.P.A.904 of 2021

(Via Video Conference)

Cosmos Supply Syndicate & Ors.

-vs-

**The District Magistrate, North
24-Paraganas & Ors.**

Mr. Rabiuddin Ahmed,
Mr. Abhishek Chakraborty.
...for the Petitioners.

Despite service, none appears on behalf of the respondents. Affidavit of service filed in Court today be kept on record.

The petitioner participated in a tender floated by the respondent authorities for the purpose of printing work and, as per calculation of the petitioner, she ought to have been declared to be the successful bidder, keeping in view the other contesting bids.

Learned counsel for the petitioner contends that the calculations and yardstick given by the petitioner in her representation to the respondents indicate categorically why the petitioner ought to be selected as the successful bidder. However, the petitioner has come to know, from informal paper works in the context of the tender, that a different bidder is going to be selected as the successful bidder. It is further submitted that, although no formal publication of the result of the tender process has yet

taken place, the petitioner reasonably apprehends that such publication may take place at any time without considering the representation of the petitioner, as appearing in Annexure P-3, at page 24 of the writ petition.

Although the writ petitioner does not make out a sufficient case for interdicting the tender process at this juncture, sufficient case has been made out for the respondent authorities to consider the representation of the petitioner prior to formally publishing/declaring the results of the bidding process.

WPA 904 of 2021 is accordingly disposed of, by directing the respondents to consider and decide upon the representation of the petitioner, being Annexure P-3 at page 28 of the present writ petition, prior to formally declaring the results of the tender process and/or issuing consequential work order.

The respondents are to act on the communication of counsel and/or server copies of this order, without insisting upon prior production of certified copies thereof. The petitioner shall communicate this order to the respondents at the earliest to ensure due compliance of the same.

There will be no order as to costs.

Urgent photostat copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Sabyasachi Bhattacharyya, J.)