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25.02.2021.
d.p.

**W.P.A. 5503 of 2021
(Via Video Conference)**

**Abdus Salam & Ors.
-versus
The State of West Bengal & Ors.**

**Mr. Amal Kumar Banerjee.
...For the Petitioners.**

**Mr. Samrat Sen
Ms. Amrita Panja Maulick,
...For the State.**

The grievance of the petitioners is that the Paikar-II Gram Panchayat issued a Notice Inviting Tender being N.I.T. No. 12/PKR-11/15th FC(14)/2020-21 dated 11th February, 2021. Though the tender date of the notice inviting tender is 11th February, 2021 but the petitioners allege that the tender was actually put up in the Notice Board of the Panchayat on 19th February, 2021. The last date of making application as mentioned in the said notice was 19th February, 2021.

Accordingly, the persons who are interested to participate in the said tender process did not have any opportunity to submit the necessary documents.

The petitioners pray for a direction upon the Panchayat for permitting them to take part in the tender process.

None appears on behalf of the Pradhan.

The learned advocate appearing for the State respondents does not have any instruction in the matter.

It appears from the Notice Inviting Tender that the date of opening the tender form is mentioned as 24th February, 2021. The said date is over by now.

The Court is not apprised of the fact as to whether the tender has at all been opened or not.

As it appears that the petitioners have raised their grievances before the Pradhan of the Gram Panchayat praying for issuing the tender form to them, which was not allowed by the Pradhan of the Gram Panchayat, the petitioners are directed to approach the Block Development Officer, Murarai-II Development Block with their grievances.

In the event such a representation is made by the petitioners before the Block Development Officer by tomorrow; i.e. 26th February, 2021, the said respondent shall consider the representation of the petitioners and the grievances made therein within two working days from the date of receipt of the representation and pass a reasoned order in the matter immediately thereafter.

The Block Development Officer shall enquire as to whether the petitioners were not provided with the application form for participating in the tender process. If the Block Development Officer is of the opinion that the petitioners were actually not provided with the application form, then necessary steps shall be taken by the Block Development Officer against the said Pradhan in accordance with law.

Till a decision is passed by the Block Development Officer in terms of the order passed hereinabove, the Pradhan of the Gram Panchayat is restrained from issuing the work order in favour of any candidate.

WPA 5503 of 2021 stands disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties on completion of usual formalities.

(Amrita Sinha, J.)