

14-06-2021

ct no. 13

Sl. 24

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**WPA 10221 of 2021
(Through Video Conference)**

M/s Private Security Agency & Detective Work
-Versus-

The Union of India & Ors.

**Mr. Triptimay
Mr. S. Bhattacharya,
Mr. Sayuj Kr. Banerjee**

....for the petitioner

**Mr. D. Banerjee,
Mr. A. Sharma,
Mr. S.S. Biswas**

....for the respondents

Counsel for the petitioner submits that his client participated in the Notice Inviting Tender dated April 10, 2021 for providing Facility Management Service to the respondent no. 2, M/s Braithwaite & Company Limited. The said respondent as on the date of submission of bids i.e. April 20, 2021 at 2 p.m., received about 10 bids.

Counsel for the petitioner submits that his client's bid was not entertained, inter alia, for not being filed without GeM (Government e Marketplace) approval.

It is submitted that the said requirement of GeM approval was not a part of the Notice Inviting Tender and hence, the petitioner has

been deprived of an opportunity to participate in the said process of distribution of State Largess.

This Court notices that as many as 10 bidders have duly filed bids along with prior approval of GeM (Government e Marketplace). The petitioner cannot claim absence of stipulation in the NIT (if at all) as a ground for not obtaining prior approval of GeM.

This Court is, therefore, not inclined to entertain the writ petition.

Hence, the writ petition must fail and is hereby dismissed.

There shall be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)