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gd/ssd

MAT 649 OF 2021
IA NO: CAN/1/2021

M/S. BHRANTI BHUSAN SINGHA
VS
THE STATE OF WEST BENGAL AND ORS.
(Through Video Conference)

Mr. Satrajit Sinha Roy
..for the Appellant

Mr. Samrat Sen,
Mr. Amitava Mitra
..for the State

By this appeal the order of the learned Single Judge dated 13.7.2021 passed in WPA 10443 of 2021 has been questioned whereby the learned Single Judge has found no reason to interfere in the impugned action of the respondents.

In nutshell, the facts are that the private respondent was awarded the contract for Linen Washing and the said contract was upto 31st of March, 2021 and in the meanwhile, a resolution was passed taking note of certain exigencies. The work order of the respondent no.6 was thereafter extended upto 31st of March, 2022 by order dated 22nd of February, 2021.

The appellant in the meanwhile was awarded the

same contract for Linen Washing by the impugned order dated 10th of March, 2021 and by the order dated 22nd of April, 2021 the order awarding the contract to the appellant was cancelled, being aggrieved with the same, the appellant had approached the writ court.

The learned Single Judge after examining the matter has reached to the conclusion that the contract period of the respondent no.6 was extended upto 31st of March, 2022, hence the cancellation of contract to the appellant was found to be justified.

Learned counsel for the State has pointed out that the contract was awarded to the appellant by order dated 10th of March, 2021 for a period from 01.04.2021 to 30.09.2021. The said period has now expired. Therefore, even if the order impugned in the writ petition, dated 22nd of April, 2021 is set aside, the appellant will not get any relief in the matter. Learned counsel for the State has also submitted that the contract awarded to the respondent no.6 will not be extended after 31st of March, 2022. Hence, the fresh tender process will take place in which the appellant will also have an opportunity to participate in accordance with law.

Learned counsel for the appellant has fairly stated that the statement made by the counsel for the State takes care of the grievance of the appellant.

Hence we dispose of the appeal taking note of the stand of the State.

(Prakash Shrivastava, C.J.)

(Rajarshi Bharadwaj, J.)

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