

131 16.08.2021
rkd Ct.08

W.P.A. 12296 of 2021
(Through Video Conference)

M/s Chopra Road Transport & Anr.

-vs-

Coal India Limited & Ors.

Mr. Srijib Chakraborty,
Mr. Sunny Nandy

....for the petitioners.

Petitioners are aggrieved by a tender notice issued by the colliery.

According to the petitioners, the term of the tender are such that a designated person gains advantage at the cost of the other participants. According to the petitioners, the tender is in respect of lifting of sands. The tender requires a participant to set apart a quantity of sand for the lean season. Since the monsoon is ongoing and if the tender is allotted now, a participant who did not stack sand will not be able to adhere to the tender conditions. The existing tenderer steal a march over the other participants in this regard.

Learned counsel for the petitioners draws the attention to the Court to an order dated August 3, 2021 passed in W.P.A. 12297 of 2021 (M/s. Chopra Road Transport & Anr. –vs- The Coal Indian Ltd. & Ors.)

Learned advocate for the colliery submits

that although the colliery requires the sand urgently, they are willing to make the statement that a tender will be allotted on the expiry of the monsoon.

In view of the stand taken by the colliery and in view of the pronouncement of M/s. Chopra Road Transport & Anr. (Supra), I find no reason to interfere in the present writ petition.

The petitioners herein participated in the ongoing tender. It is open to the colliery to proceed with the tender in accordance with law. However, as submitted on behalf of the colliery the tender if awarded will announce after the monsoon season.

Accordingly, W.P.A. 12296 of 2021 is disposed of.

(Debangsu Basak, J.)