

12
18.03.2021
sb
Ct23

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 8065 of 2020

Ajjatun Bibi Purkait
Vs.
The State of West Bengal & Ors.

Mr. Pankaj Halder,
Mr. Santan Panja,
Mr. Tapas Manna
... For the petitioner

Mrs. Chama Mukherjee,
Mr. Gourav Das
.... For the State.

The petitioner says that a tender notice was published on 27th January, 2020 which on being cancelled was again floated on 26th February, 2020. The tender published on 26th February, 2020 by the Block Development Officer, Mathurapur-I Block, South 24 Parganas, inviting offers for engagement of carrying-cum-distribution agent of mid-day meal for the said Block for a period of one year from 1st of April, 2020 to 31st March, 2021 (hereinafter referred to as the said tender) was also cancelled and a further tender for the selfsame work was published on 18th March, 2020. The petitioner applied in terms of the said tender dated 18th March, 2021. The petitioner says that there after no steps were taken by the respondents authorities for engaging carrying-cum-distribution agent of mid-day meal and as such

the tender has neither been processed nor cancelled till date. The petitioner says that unless the tender process is completed by 31st March, 2021, the entire tenure for which the said tender was published will be over and the petitioner will have no opportunity to have its candidature considered for the work.

On behalf of the State, it is submitted that immediately after publication of the tender on 18th March, 2020, the situation in the State became uncertain owing to the pandemic for which the said tender was kept in abeyance due to insufficient participation. The respondents also say that owing to the pandemic the situation was such that there was no need for engaging carrying-cum-distribution agent of mid-day meal from April, 2020.

Since the tender has been kept in abeyance as submitted by the State, which is within the domain of the policy matter of State, no interference is called for. The petitioner is only entitled to claim refund of the deposit money that the petitioner deposited with her application in terms of the tender published on 18th March, 2020, if the petitioner is so desirous that too on withdrawing his offer or in the event the said tender is cancelled by the State.

Considering these facts, I find no ground to grant the petitioner the relief as claimed in the writ petition save aforesaid.

The writ petitioner is disposed of without any order as to costs.

Urgent photostat certified copy of this order, if applied for, is to be given to the parties upon compliance with the necessary formalities.

(Arindam Mukherjee, J.)