

Court No. 2

23.09.2021

(Sl. 82)

(S. Banerjee/BP)

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Constitutional Writ Jurisdiction**

WPA 53 of 2021

Minda Brothers & Anr.
Vs.
State of West Bengal & Ors.

(Via Video Conference)

Mr. Deborshi Dhar

... for the petitioners

Mr. Subir Kumar Saha

Mr. Bikramaditya Ghosh

... for the State

Mr. Kunaljit Bhattacharjee

... for the respondent nos. 8 and 9

The writ petitioners are aggrieved by rejection of a technical bid on the ground that he did not produce Original Equipment Manufacturer ('OEM', for short) certificate issued by the manufacturer of the LED equipment to be supplied and installed. The petitioner refer to a certificate dated 29.09.2020, being annexure P-4 to the writ application, which they submitted along with the tender.

Counsel for the respondent Gram Panchayet submits that since the petitioners and the private respondent had both produced authorization from the OEM, they made discrete enquiries. Upon such verification the Gram Panhayet came to know that

the writ petitioners' OEM certificate was procured from a local employee who was not authored to issue the same. The petitioners' bid was, therefore, rightly rejected by the respondents.

In that view of the matter the writ petition is devoid of any merit and is hereby dismissed.

(Rajasekhar Mantha, J.)